

NRC FORM 313 U. S. NUCLEAR REGULATORY COMMISSION 45-1000 10 CFR 30, 32, 33 34, 35, 39 and 40		APPROVED BY: 03028646 EXPIRES: 7-13-10			
APPLICATION FOR MATERIAL LICENSE					
INSTRUCTIONS: SEE THE APPROPRIATE LICENSE APPLICATION GUIDE FOR DETAILED INSTRUCTIONS FOR COMPLETING APPLICATION SEND TWO COPIES OF THE ENTIRE COMPLETED APPLICATION TO THE NRC OFFICE SPECIFIED BELOW					
APPLICATION FOR DISTRIBUTION OF ISOTOPE PRODUCTS FILE APPLICATIONS WITH: DIVISION OF INDUSTRIAL AND MEDICAL NUCLEAR SAFETY OFFICE OF NUCLEAR MATERIALS SAFETY AND SAFEGUARDS U. S. NUCLEAR REGULATORY COMMISSION WASHINGTON, DC 20545-0001		IF YOU ARE LOCATED IN: ILLINOIS, INDIANA, IOWA, MISSOURI, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, SEND APPLICATIONS TO: MAYFIELD LOCATION SECTION U. S. NUCLEAR REGULATORY COMMISSION, REGION 4 871 WARDENVILLE RD. ILL. 61752-4357			
ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS: IF YOU ARE LOCATED IN: CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, ILLINOIS, MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, PENNSYLVANIA, RHODE ISLAND, OR VERMONT, SEND APPLICATIONS TO: LICENSING ASSISTANT SECTION NUCLEAR MATERIALS SAFETY BRANCH U. S. NUCLEAR REGULATORY COMMISSION, REGION 1 475 ALLENDALE ROAD JACOBS OF PENNSYLVANIA, PA 15065-1415		ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, HAWAII, IDAHO, KANSAS, LOUISIANA, MONTANA, NEBRASKA, NEVADA, NEW MEXICO, NORTH DAKOTA, OREGON, OREGON, PACIFIC TRUST TERRITORIES, SOUTH DAKOTA, TEXAS, UTAH, WASHINGTON, OR OREGON, SEND APPLICATIONS TO: NUCLEAR MATERIALS LICENSING SECTION U. S. NUCLEAR REGULATORY COMMISSION, REGION IV 511 PEARL PLAZA DRIVE, SUITE 400 ARLINGTON, TX 76011-0000			
ALABAMA, FLORIDA, GEORGIA, KENTUCKY, MISSISSIPPI, NORTH CAROLINA, PUERTO RICO, SOUTH CAROLINA, TENNESSEE, VIRGINIA, VIRGIN ISLANDS, OR ANY OTHER SEND APPLICATIONS TO: SARA HARRIS ATLANTA FEDERAL CENTER U. S. NUCLEAR REGULATORY COMMISSION, REGION 5 81 FORTY-NINTH STREET, S.W., SUITE 2770A ATLANTA, GEORGIA 30303-8801		PERMITS LOCATED IN ADJACENT STATES SEND APPLICATIONS TO THE U. S. NUCLEAR REGULATORY COMMISSION ONLY IF THEY WISH TO POSSESS AND USE LICENSED MATERIALS IN STATES SUBJECT TO U.S. NUCLEAR REGULATORY COMMISSION JURISDICTION.			
1. THIS IS AN APPLICATION FOR: (Check appropriate box) <input type="checkbox"/> A. NEW LICENSE <input type="checkbox"/> B. AMENDMENT TO LICENSE NUMBER <input checked="" type="checkbox"/> C. RENEWAL OF LICENSE NUMBER 47-23079-01		2. NAME AND MAILING ADDRESS OF APPLICANT: (Include P.O. code) KLUG BROS., INC. Ad 2 Box 3940 Moundsville, WV 26041			
3. ADDRESS WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED KLUG BROS., INC. Ad 2 Box 3940 Moundsville, WV 26041		4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION JULIE KLUG TELEPHONE NUMBER 304-845-2545			
(SUBMIT ITEMS 5 THROUGH 11 ON 8 1/2 X 11" PAPER. THE TYPE AND SCOPE OF INFORMATION TO BE PROVIDED IS DESCRIBED IN THE LICENSE APPLICATION GUIDE.)					
5. RADIOACTIVE MATERIALS a. Chemical and mass number in chemical and/or physical form, and c. maximum amount which will be produced in any one form.		6. PURPOSES FOR WHICH LICENSED MATERIAL WILL BE USED			
7. INDIVIDUALS RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING EXPERIENCE		8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS			
9. FACILITIES AND EQUIPMENT		10. RADIATION SAFETY PROGRAMS			
11. WORKER MANAGEMENT		12. LICENSE FEES (also 10 CFR 170 and Section 170.37) FEE CATEGORY: _____ AMOUNT ENCLOSED: <input type="checkbox"/>			
13. CERTIFICATION (Must be completed by applicant) THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BEING MADE UNDER THE APPLICANT. THE APPLICANT AND ANY OFFICIAL EXECUTING THIS CERTIFICATION ON BEHALF OF THE APPLICANT, NAMED IN ITEM 2, CERTIFY THAT THIS APPLICATION IS PREPARED IN CONFORMANCE WITH TITLE 10, CODE OF FEDERAL REGULATIONS, PARTS 20, 30, 31, 32, 33, 35, 39 AND 40, AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF. WARNING: IN U.S.C. SECTION 1201 ACT OF APRIL 23, 1970 (92 STAT. 743) MAKES IT A CRIMINAL OFFENSE TO MAKE A WILLFULLY FALSE STATEMENT OR REPRESENTATION TO ANY DEPARTMENT OR AGENCY OF THE UNITED STATES AS TO ANY MATTER WITHIN ITS JURISDICTION.					
CERTIFYING OFFICER - TYPE PRINTED NAME AND TITLE JULIE KLUG SECRETARY		SIGNATURE [Signature]			
		DATE 7-13-10			
FOR NRC USE ONLY					
TYPE OF FEE	FEE CODE	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
			\$		
APPROVED BY: _____				DATE: _____	

REC'D IN LAT 7/13/2010

573124
 NMS/IRMI MATERIALS 002

ITEMS 5 AND 6: MATERIALS TO BE POSSESSED AND PROPOSED USES

Yes	No	Radioisotope	Manufacturer or Distributor Model No.	Quantity	Use As Listed on SSD Certificate	Specify Other Uses Not Listed on SSD Certificate
✓		Cesium-137	<p>Scaled source manufacturer or distributor and model number:</p> <hr/> <p>Device manufacturer or distributor and model number:</p> <p>1 <u>TRAXLER 3411B</u></p> <p>1 <u>CPN MC3</u></p>	<p>Not to exceed either the maximum activity per source or maximum activity per device as specified in Scaled Source and Device Registration Certificate</p>	<p>Yes <input checked="" type="checkbox"/></p> <p>Specific description of the gauge use:</p> <p><u>Density testing ON ASPHALT PAVEMENT SURFACES</u></p>	<p><input type="checkbox"/> Not applicable</p> <p><input type="checkbox"/> Uses are:</p> <p>(Submit safety analysis supporting safe use)</p>
✓		Americium-241	<p>Scaled source manufacturer or distributor and model number:</p> <hr/> <p>Device manufacturer or distributor and model number:</p> <p>1 <u>TRAXLER 3411B</u></p> <p>1 <u>CPN MC3</u></p>	<p>Not to exceed either the maximum activity per source or maximum activity per device as specified in Scaled Source and Device Registration Certificate</p>	<p>Yes <input checked="" type="checkbox"/></p> <p>Specific description of the gauge use:</p> <p><u>Density testing ON ASPHALT PAVEMENT SURFACES</u></p>	<p><input type="checkbox"/> Not applicable</p> <p><input type="checkbox"/> Uses are:</p> <p>(Submit safety analysis supporting safe use)</p>

APPENDIX B

Yes	No	Radioisotope	Manufacturer or Distributor Model No.	Quantity	Use As Listed on SSD Certificate	Specify Other Uses Not Listed on SSD Certificate
	✓	Californium-252	Sealed source manufacturer or distributor and model number: <hr/> Device manufacturer or distributor and model number: <hr/>	Not to exceed either the maximum activity per source or maximum activity per device as specified in Sealed Source and Device Registration Certificate	Yes <input type="checkbox"/> Specific description of the gauge use: <hr/> <hr/> <hr/> <hr/> 	<input type="checkbox"/> Not applicable <hr/> <input type="checkbox"/> Uses are: <hr/> (Submit safety analysis supporting safe use)
	✓	Other Isotope (Specify):	Sealed source manufacturer or distributor and model number: <hr/> Device manufacturer or distributor and model number: <hr/>	Not to exceed either the maximum activity per source or maximum activity per device as specified in Sealed Source and Device Registration Certificate	Yes <input type="checkbox"/> Specific description of the gauge use: <hr/>	<input type="checkbox"/> Not applicable <hr/> <input type="checkbox"/> Uses are: <hr/> (Submit safety analysis supporting safe use)
<i>Financial Assurance Required and Evidence of Financial Assurance Provided</i>						

ITEMS 7 THROUGH 11: TRAINING AND EXPERIENCE, FACILITIES AND EQUIPMENT, RADIATION SAFETY PROGRAM, AND WASTE DISPOSAL

Item No. And Title	Suggested Response	Yes	Alternative Procedures Attached
<p>7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING AND EXPERIENCE – RADIATION SAFETY OFFICER</p> <p>Name: <u>KAREN SAFFELL</u></p>	<p>Before obtaining licensed materials, the proposed RSO will have successfully completed one of the training courses described in Criteria in the section entitled "Individual(s) Responsible for Radiation Safety Program and Their Training and Experience – Radiation Safety Officer" in NUREG-1556, Vol. 1, Rev. 1, dated November 2001.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS</p>	<p>Before using licensed materials, authorized users will have successfully completed one of the training course described in Criteria in the section entitled "Training for Individuals Working In or Frequenting Restricted Areas" in NUREG-1556, Vol. 1, Rev 1, dated November 2001.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>9. FACILITIES AND EQUIPMENT</p>	<p>No information needs to be submitted in response to this item; key issues are addressed under "Radiation Safety Program – Public Dose" and "Radiation Safety Program – Operating and Emergency Procedures."</p>	<p>Separate Item 9 Response Need Not Be Submitted With Application</p>	
<p>10. RADIATION SAFETY PROGRAM – AUDIT PROGRAM</p>	<p>The applicant is <i>not</i> required to, and should not, submit its audit program to NRC for review during the licensing phase.</p>	<p>Need Not Be Submitted With Application</p>	
<p>10. RADIATION SAFETY PROGRAM – TERMINATION OF ACTIVITIES</p>	<p>The applicant is <i>not</i> required to submit a response to the termination of activities section during the initial application. However, when the license expires when the licensee ceases operation, NRC Form 314 must be submitted.</p>	<p>Need Not Be Submitted With Application</p>	
<p>10. RADIATION SAFETY PROGRAM – SURVEY INSTRUMENTS</p>	<p>We will either possess and use, or have access to and use, a radiation survey meter that meets the Criteria in the section entitled "Radiation Safety Program – Instruments" in NUREG-1556, Vol. 1, Rev. 1, dated November 2001.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

APPENDIX B

Item No. And Title	Suggested Response	Yes	Alternative Procedures Attached
10. RADIATION SAFETY PROGRAM – MATERIAL RECEIPT AND ACCOUNTABILITY	Physical inventories will be conducted at intervals not to exceed 6 months, to account for all sealed sources and devices received and possessed under the license.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. RADIATION SAFETY PROGRAM – OCCUPATIONAL DOSIMETRY	Either we will maintain, for inspection by NRC, documentation demonstrating that unmonitored individuals are not likely to receive a radiation dose in excess of 10 percent of the allowable limits in 10 CFR Part 20, or we will provide dosimetry processed and evaluated by an NVLAP-approved processor that is exchanged at a frequency recommended by the processor.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. RADIATION SAFETY PROGRAM – PUBLIC DOSE	The applicant is <i>not</i> required to submit a response to the public dose section during the licensing phase. This matter will be examined during an inspection.	Need Not Be Submitted With Application	
10. RADIATION SAFETY PROGRAM – OPERATING AND EMERGENCY PROCEDURES	<p>We will implement and maintain the operating and emergency procedures in Appendix H of NUREG-1556, Vol. 1, Rev. 1, dated November 2001, and provide copies of these procedures to all gauge users and at each job site.</p> <p style="text-align: center;">OR</p> <p>Operating and emergency procedures will be developed, implemented, and maintained and will meet the criteria in the section entitled "Radiation Safety Program – Operating and Emergency Procedures" in NUREG-1556, Vol. 1, Rev. 1, dated November 2001.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. RADIATION SAFETY PROGRAM – LEAK TEST	Leak tests will be performed at intervals approved by NRC or an Agreement State and specified in the Sealed Source and Device Registration Sheet. Leak tests will be performed by an organization authorized by NRC or an Agreement State to provide leak testing services for other licensees or using a leak test kit supplied by an organization authorized by NRC or an Agreement State to provide leak test kits to other licensees and according to the kit supplier's instructions.	<input checked="" type="checkbox"/>	<input type="checkbox"/> The information in Appendix J supporting a request to perform leak testing and sample analysis is attached.

Item No. And Title	Suggested Response	Yes	Alternative Procedures Attached
<p>10. RADIATION SAFETY PROGRAM – MAINTENANCE</p>	<p><i>Routine Cleaning and Lubrication</i></p> <p>We will implement and maintain procedures for routine maintenance of our gauges according to each manufacturer's recommendations and instructions.</p> <p><i>Non-Routine Maintenance</i></p> <p>We will send the gauge to the manufacturer or other person authorized by NRC or an Agreement State to perform non-routine maintenance or repair operations that require the removal of the source or source rod from the gauge.</p>	<p>✓</p> <p>✓</p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p>The information listed in Appendix G supporting a request to perform non-routine maintenance in-house is attached.</p>
<p>10. RADIATION SAFETY PROGRAM – TRANSPORTATION</p>	<p>The applicant is <i>not</i> required to submit its response to transportation during the licensing process. However, this issue will be reviewed during inspection.</p>		<p>Need Not Be Submitted With Application</p>
<p>11. WASTE MANAGEMENT – GAUGE DISPOSAL AND TRANSFER</p>	<p>The applicant is <i>not</i> required to submit a response to waste management during the licensing process. However, the licensee should develop, implement, and maintain gauge transfer and disposal procedures in its radiation protection program.</p>		<p>Need Not Be Submitted With Application</p>

This is to acknowledge the receipt of your letter/application dated

7/13/2010, and to inform you that the initial processing which includes an administrative review has been performed.

Renewal (47-23079-01) There were no administrative omissions. Your application was assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information.

Please provide to this office within 30 days of your receipt of this card

A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned **Mail Control Number** 573124.
When calling to inquire about this action, please refer to this control number.
You may call us on (610) 337-5398, or 337-5260.

NRC FORM 532 (RI)
(6-96)

Sincerely,
Licensing Assistance Team Leader