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Q-2

August 24, 2010

Licensing Assistance Team
Division of Nuclear Materials Safety
U.S. Nuclear Regulatory Commission, Region 1
475 Allendale Road
King of Prussia, PA 19406-1415

RECEIVED
2010 AUG 25 PM 12:19

RE: Application for Materials License
License Number: 37-28555-01

03031824

Gentlemen:

Submitted below are items 5 through 11:

Item 5

5A Element & Mass Number	5B Chemical/Physical Form	5C Maximum Amount Possessed at any one time
Cesium 137	Sealed Source HSI Dwg. 2200064 Troxler Drg. A-102112	Cesium 137 not to exceed 11 millicuries per source and 49 millicuries total
Americium 241	Sealed Source HIS Drg. 2200067	Americium 241 44 millicuries per source 88 millicuries total

Item 6

The material is used in Humboldt Scientific, Inc Model Number 5001 and Troxler Electronic Laboratories Model Number 4640 and 4640B portable gauging devices for measuring physical properties of materials.

573347

NRC FORM 313 (3-2009) 10 CFR 30, 32, 33, 34, 35, 36, 39, and 40	U.S. NUCLEAR REGULATORY COMMISSION	APPROVED BY OMB: NO. 3150-0120	EXPIRES: 3/31/2012
<h2 style="margin: 0;">APPLICATION FOR MATERIALS LICENSE</h2>		Estimated burden per response to comply with this mandatory collection request: 4.3 hours. Submittal of the application is necessary to determine that the applicant is qualified and that adequate procedures exist to protect the public health and safety. Send comments regarding burden estimate to the Records and FOIA/Privacy Services Branch (T-5 F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by internet e-mail to infocollects.resource@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0120), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.	

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 EXEMPT PRODUCTS FILE APPLICATIONS WITH: OFFICE OF FEDERAL & STATE MATERIALS AND ENVIRONMENTAL MANAGEMENT PROGRAMS DIVISION OF MATERIALS SAFETY AND STATE AGREEMENTS U.S. NUCLEAR REGULATORY COMMISSION WASHINGTON, DC 20555-0001 ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS: IF YOU ARE LOCATED IN: ALABAMA, CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, FLORIDA, GEORGIA, KENTUCKY, MAINE, MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, NORTH CAROLINA, PENNSYLVANIA, PUERTO RICO, RHODE ISLAND, SOUTH CAROLINA, TENNESSEE, VERMONT, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA, SEND APPLICATIONS TO: LICENSING ASSISTANCE TEAM DIVISION OF NUCLEAR MATERIALS SAFETY U.S. NUCLEAR REGULATORY COMMISSION, REGION I 475 ALLENDALE ROAD KING OF PRUSSIA, PA 19406-1415	IF YOU ARE LOCATED IN: ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, SEND APPLICATIONS TO: MATERIALS LICENSING BRANCH U.S. NUCLEAR REGULATORY COMMISSION, REGION III 2443 WARRENVILLE ROAD, SUITE 210 LISLE, IL 60532-4352 ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, HAWAII, IDAHO, KANSAS, LOUISIANA, MISSISSIPPI, MONTANA, NEBRASKA, NEVADA, NEW MEXICO, NORTH DAKOTA, OKLAHOMA, OREGON, PACIFIC TRUST TERRITORIES, SOUTH DAKOTA, TEXAS, UTAH, WASHINGTON, OR WYOMING, SEND APPLICATIONS TO: NUCLEAR MATERIALS LICENSING BRANCH U.S. NUCLEAR REGULATORY COMMISSION, REGION IV 612 E. LAMAR BOULEVARD, SUITE 400 ARLINGTON, TX 76011-4125
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03031824
X

PERSONS LOCATED IN AGREEMENT STATES SEND APPLICATIONS TO THE U.S. NUCLEAR REGULATORY COMMISSION ONLY IF THEY WISH TO POSSESS AND USE LICENSED MATERIAL IN STATES SUBJECT TO U.S. NUCLEAR REGULATORY COMMISSION JURISDICTIONS.

1. THIS IS AN APPLICATION FOR (Check appropriate item) <input type="checkbox"/> A. NEW LICENSE <input type="checkbox"/> B. AMENDMENT TO LICENSE NUMBER _____ <input checked="" type="checkbox"/> C. RENEWAL OF LICENSE NUMBER <u>37-28555-01</u>	2. NAME AND MAILING ADDRESS OF APPLICANT (Include ZIP code) Allan A. Myers, L.P. P.O. Box 98 1805 Berks Road Worcester, PA 19490
3. ADDRESS WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED 1805 Berks Road Worcester, PA 19490	4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION John Farrell TELEPHONE NUMBER 267-446-2000

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 MATERIAL a. Element and mass number; b. chemical and/or physical form; and c. maximum amount which will be possessed at any one time.	6. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED.				
7. INDIVIDUAL(S) 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 PROGRAM.				
11. WASTE MANAGEMENT.	12. LICENSE FEES (See 10 CFR 170 and Section 170.31) <table style="width: 100%; border: none;"> <tr> <td style="border: none;">FEE CATEGORY</td> <td style="border: none; text-align: right;">AMOUNT ENCLOSED</td> </tr> <tr> <td style="border: none;"></td> <td style="border: none; text-align: right;">\$ Full</td> </tr> </table>	FEE CATEGORY	AMOUNT ENCLOSED		\$ Full
FEE CATEGORY	AMOUNT ENCLOSED				
	\$ Full				

13. CERTIFICATION. (Must be completed by applicant) THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BINDING UPON 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 CONFORMITY WITH TITLE 10, CODE OF FEDERAL REGULATIONS, PARTS 30, 32, 33, 34, 35, 36, 39, AND 40, AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF.

 WARNING: 18 U.S.C. SECTION 1001 ACT OF JUNE 25, 1948 62 STAT. 749 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 - TYPED/PRINTED NAME AND TITLE Dale R. Wilson, President	SIGNATURE 	DATE 8/27/10
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FOR NRC USE ONLY					
TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
			\$		
APPROVED BY				DATE	

Licensing Assistance Team
Division of Nuclear Materials Safety
U.S. Nuclear Regulatory Commission, Region 1
August 24, 2010
Page 2

Item 7

John T Farrell – RSO
Training – See attached certificates
e-Mail - john.farrell@amyers.com

Item 8

Before using licensed materials, authorized user will have successfully completed on of the training courses described in Criteria in the section entitled “Training of Individuals Working in or Frequenting Restricted Areas” in NUREG-1556, Vol1, Rev. 1, “Consolidated Guidance about Materials Licenses: Program Specific Guidance about Portable Gauge Licenses,” dates November 2001.

Item 9

No Response Required.

Item 10A

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, ‘Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Portable Gauge Licenses,’ dated November 2001, in the event of an incident.

Item 10B

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.

Item 10C

Either we will maintain, for inspection by PA DEP, documentation demonstrating that unmonitored individuals are not likely to receive, in one year, 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.

Item 10D

We will implement and maintain the operating and emergency procedures in Appendix H of NUREG-1556, Vol. 1, Rev. 1, 'Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Portable Gauge Licenses,' dated November 2001, and provide copies of these procedures to all gauge users and at each job site.

Item 10E

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 to other licenses or using a leak test kit supplied by an organization authorized by NRC or an Agreement State to provide leak test kits to other licenses and according to the kit supplier's instructions.

Item 10F

We will implement and maintain procedures for routine maintenance of our gauges according to each manufacturer's recommendations and instructions.

Item 10G

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 detaching the source or source rod from the gauge.

Item 11 - Waste Management

The disposal of the gauges is part of our radiation safety program. All gauges will be sent to the manufacturer or an authorized facility licensed by the NRC for gauge disposal.



NETS

North East Technical Services, Inc.

Certifies that

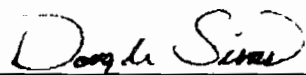
John Farrell

Has successfully completed North East Technical Services, Inc. Radiation Safety Officer Training Course for Nuclear Gauges, in accordance with Nuclear Regulatory Commission and current US DOT regulations.

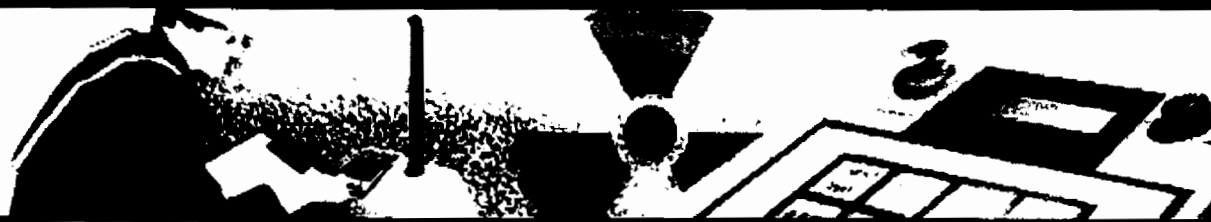
Training materials are maintained at:

North East Technical Services, Inc.
75 Aileron Court, Suite 4
Westminster, MD 21157

Date of Completion: October 14, 2009


Instructor: Douglas C. Sims

NUCLEAR GAUGE TRAINING ONLINE



October 16, 2009

NuclearGaugeTraining.com ☎ 866-868-2382

John Farrell

Has successfully completed training in accordance with policies set forth by the following rules and regulations governing portable nuclear moisture/density gauges and transportation requirements: NUREG 1556 and 49CFR subpart H and IATA 1.5.2.

A closed book examination was administered and a passing score was achieved. The person listed above has demonstrated a thorough understanding of all aspects needed for transportation, with specific emphasis placed on portable nuclear density gauges. This certificate is only valid if signed by a Radiation Safety Officer verifying that further hands on training will be conducted under direct supervision of an authorized user prior operating the gauge alone.

Subjects included in this course include: Radiological safety/principles, practices of radiation protection, leak-testing procedures, measurement of radioactivity, biological effect of radiation, incident, labeling, marking, storage, ALARA, shipping, packaging, shipping documents, emergency procedures and security awareness.
Record keeping in accordance with 49 CFR 172.704(d). North East Technical Services, Inc., 75 Aileron Court, Suite 4, Westminster, MD 21157

Murray Blaker