

Torres, RobertoJ

From: Per Rasmussen [PRasmussen@pndengineers.com]
Sent: Tuesday, August 31, 2010 5:13 PM
To: Torres, RobertoJ
Cc: Gary Watters
Subject: RE: Information from US NRC about portable gauges
Attachments: PND C-300 21048 Leak Test 8.19.2010.PDF

Roberto,

Attached please find the latest leak test for the PND Seaman Nuclear Gauge C-300 Serial Number 21048 as requested. I hope this suits meets the NRC requirements.

Thanks,

Per'Christian L. Rasmussen | Staff Engineer
PND ENGINEERS, INC.

46-27804-01

030-36853

~~#~~ 573287

From: Per Rasmussen
Sent: Thursday, August 05, 2010 9:42 AM
To: 'Torres, RobertoJ'
Cc: Gary Watters
Subject: RE: Information from US NRC about portable gauges

RECEIVED

SEP 01 2010

DNMS

Will do. Thanks,

Per'Christian L. Rasmussen | Staff Engineer
PND ENGINEERS, INC.

From: Torres, RobertoJ [mailto:RobertoJ.Torres@nrc.gov]
Sent: Thursday, August 05, 2010 9:33 AM
To: Per Rasmussen
Cc: Gary Watters
Subject: RE: Information from US NRC about portable gauges

Your amendment request has been received. One observation: the leak test was due 10/6/2009. Leak testing for Seaman gauges is on a 6 month frequency so please provide a most current leak test result IF the gauge has been used after 10/6/2009. If this gauge has not been used after 10/6/2009, then no leak test is required when it is in storage for prolonged periods of time. However before the next use it needs to be leak tested.

I will start the process of amending license 46-27804-01 right away.

Roberto J. Torres
US NRC Region IV

From: Per Rasmussen [mailto:PRasmussen@pndengineers.com]
Sent: Thursday, August 05, 2010 12:23 PM
To: Torres, RobertoJ
Cc: Gary Watters
Subject: RE: Information from US NRC about portable gauges

Roberto,

Attached please find the amendment request letter adding the gauge to the PND NRC license # 46-27804-01 – Hard copy to follow.

For clarification: PND does currently provide the required badge monitoring for the referenced additional gauge.

I appreciate your assistance concerning these matters and hope the attached letter meets the NRC requirements.
Thank you,

Per'Christian L. Rasmussen | Staff Engineer
PND ENGINEERS, INC.

From: Torres, RobertoJ [mailto:RobertoJ.Torres@nrc.gov]
Sent: Monday, August 02, 2010 7:41 PM
To: Per Rasmussen
Subject: RE: Information from US NRC about portable gauges

1. No, the grace period to obtain a new license ends on August 7, 2010 but I understand that you don't want to obtain a new license and want to get rid of the gauge. I assume this is a portable gauge that contains Radium-226 sealed source (either a Seaman C-200 or C-300 gauge or a Troxler gauge). Let me know what model it is.

2. Your other option (easiest fix), is to have PND Engineers, Inc. Seattle, (who is supposed to have an NRC portable gauge license from the NRC, I cannot verify this because I am writing from my home) to send an amendment request letter to add the gauge that you have to their license and to add your Juneau physical address to their license as a storage location. You also need to send a copy of the leak test result to add this gauge to the license. This needs to be done right away because amendments to add Radium-226 gauges were supposed to have been submitted to the NRC by February 7, 2010. So this request will be considered late. Adding the gauge to the Seattle license will provide you with the flexibility that you want (all the time that you need) to dispose the gauge or sell it to a licensed entity.

3. Another option is to sell the gauge before August 7, 2010 to a company in Alaska who is authorized to possess the same type of gauge and radionuclide that you have. if you accomplish this by August 7, 2010, you don't have to apply for a new license and PND Engineers Seattle will not have the need to apply for a license amendment to add your gauge.

NRC portable gauge licensees are required to EITHER provide badge monitoring to their gauge users OR do a mathematical calculation (called dose assessment) to demonstrate that gauge users will not receive more than 500 millirem in a year. NUREG-1556, Volume 1, revision 1 has a table in which you plug in your assumptions and will obtain a dose result. This is in Appendix I.

Fees for portable gauge licenses are \$3,400/year. However if your company qualifies as a small business entity (based on your average gross sales for the last 3 years) and submit NRC Form 526 every year, your company can pay a reduced annual fee of \$400.

From: Per Rasmussen [PRasmussen@pndengineers.com]
Sent: Monday, August 02, 2010 5:14 PM
To: Torres, RobertoJ
Subject: RE: Information from US NRC about portable gauges

Roberto,

PND Engineers, Inc. in **Juneau**, Alaska has decided to get rid of our nuclear gauge. We're not making money on it as the fees for badge monitoring & NRC licensing requirements aren't justifiable because it's too seldom used. Paramount, PND does not want any violations.

1. Is there some grace period we can try to sell the piece of equipment without having to obtain the NRC license referenced below?
2. PND Engineers, Inc. has multiple offices. The PND Engineers, Inc. **Seattle** office has an existing NRC license. Would it be possible to send them the gauge and add it to their inventory to sell?
3. Do you have any suggestions?

Thanks,

Per'Christian L. Rasmussen | Staff Engineer
PND ENGINEERS, INC.

From: Torres, RobertoJ [mailto:RobertoJ.Torres@nrc.gov]
Sent: Tuesday, July 28, 2009 1:27 PM
To: Per Rasmussen
Cc: Dick Somerville
Subject: Information from US NRC about portable gauges

Mr. Rasmussen:

This email is in response to the telephone message you left with Jack Whitten from our office asking about portable nuclear gauge regulations.

Starting August 7, 2009 there will be a regulatory transition from the State of Alaska to the U.S. Nuclear Regulatory Commission (NRC) on the licensing and inspection of certain radioactive materials. This email explains what you have to do to be in compliance with NRC requirements regarding the possession and use of portable nuclear density gauges.

A) If your company currently holds a NRC license then adding additional gauges (Ra-226 gauges) to the license can be done by sending a letter requesting to add X amount of Ra-226 gauges. Provide manufacturer's name, model number, type of radionuclide and amount, and gauge serial number. Send the letter and copies of the most current leak test results to US NRC Region IV, ATTN: Licensing Assistant, 612 East Lamar Boulevard, Suite 400, Arlington, TX 76011-4125. No fees are associated with sending an amendment request to an existing license. The amendment request to an existing license needs to be dated and sent between August 7, 2009 and February 7, 2010, to be in compliance.

B) If you don't currently have a NRC license authorizing the possession and use portable nuclear gauges containing radioactive material you need to obtain one. You need to submit the license application and application fee to this address: US NRC Region IV, ATTN: Licensing Assistant, 612 East Lamar Boulevard, Suite 400, Arlington, TX 76011-4125. The application needs to be dated and sent between August 7, 2009 and August 7, 2010, to be in compliance.

Next step, call Brenda Brown at 301-415-6055 or email her at brenda.brown@nrc.gov to determine the license application fee for program code 03121 (which means portable gauge). Your company will have to pay an annual fee to maintain the license active. Ask Brenda Brown how your company can apply for a reduced annual fee. Your company may qualify as a small business entity and thus obtain a reduced annual fee (not application fee).

Information needed to apply for a license.

1. Fill out NRC Form 313 (see attached).
2. Fill out Appendix B of NUREG-1556, Volume 1, revision 1 (see attached). This NUREG-1556, Volume 1, revision 1, provides guidance for you the applicant on the type of information you need to submit to the NRC in support of your license application.
3. State who the proposed RSO is for the application. Submit training certificate as RSO or gauge user for the proposed RSO, if the training has been taken. Submit resume indicating previous work experience.
4. State why you are requesting a license to use portable gauges, provide examples of proposed future projects in which you will use portable gauges.

5. Describe the radiation survey that you plan to possess. Indicate type of radiation detected by the instrument and range of scale.
6. Please note that 10 CFR 30.34, Terms and Conditions of Licenses, was revised to enhance the security requirements for portable gauges containing byproduct material. This revision became effective July 11, 2005. Revised 10 CFR 30.34 now requires that "each portable gauge licensee shall use a minimum of two independent physical controls that form tangible barriers to secure portable gauges from unauthorized removal, whenever portable gauges are not under the control and constant surveillance of the licensee" (i.e., when not in use). Guidance on these security procedures is provided in revised Appendix H of NUREG-1556, Volume 1, rev. 1 (see attachment). Commit to the following language: "We will implement and maintain the "Operating, Emergency, and Security Procedures" in Appendix H of NUREG-1556, Volume 1, Revision 1, and provide copies of these procedures to all gauge users and at each job site."
7. Is your company registered with your State Department of State. If so, provide copy of certificate.
8. Do you have a company website? If so, please state.
9. Please provide the names of all the owners of the company, if applicable.
10. Provide an organization chart with individual's names and positions.
11. Describe the security of the proposed storage location for the portable gauges. Provide diagram with dimensions. Diagram should include storage location for the gauges. Indicate if location of use is a residence or a business location.
12. Indicate if you have been a previous authorized user or RSO of a portable gauge working under an NRC or Agreement State portable gauge licensee. State years of work experience as a portable gauge user with another company, and company name and license number, if applicable.
13. Indicate if your company has ever had an NRC or Agreement State license for portable gauges.
14. Provide copies of proof of business insurance, federal tax identification number, professional licenses, and/or drivers license.
15. Indicate how many portable gauges you plan on possessing or currently possess. Provide manufacturer's name, model number, type of radionuclide and amount, and gauge serial number. Indicate any future projections (future needs).
16. Last but not least, provide copy of the most recent leak test result for all the portable gauges currently in your possession.

This is the end of the information needed to apply for a new NRC license. Submit all this information as part of your license application.

Call me or email me if you have any questions.

Roberto J. Torres
Senior Health Physicist
U.S. Nuclear Regulatory Commission - Region IV
Division of Nuclear Materials Safety
Nuclear Materials Safety Branch B
612 East Lamar Boulevard, Suite 400
Arlington, Texas 76011-4125
Telephone 817-860-8189

Facsimile 817-860-8263
robertoj.torres@nrc.gov

Seaman Nuclear Corporation

7315 South First Street Oak Creek, WI 53154 USA
Tel 414-762-5100 Fax 414-762-5106

Leak Test Certificate

August 24, 2010

A leak test has been performed on meter, serial number **21048**, a model C-300 DT, 8", containing the radionuclide Ra 226.

Owned By: PND Engineers Inc.
9360 Glacier Hwy, Suite 100
Juneau, AK 99801

Date Sample Collected: 8/19/10
Collected By: Per Rasmussen
Date Sample Analyzed: 8/24/10
Analyzed By: T. Lindemann

RECEIVED

SEP 01 2010

DNMS

Most regulatory agencies consider a source to be leaking if a leak test reveals the presence of more than 0.005 microcurie of removable contamination.

Analysis found contamination of less than 0.005 microcurie.

Analysis authorized by Wisconsin license 079-1257-01.

Seaman Nuclear Corporation

LEAK TEST DUE: 8/19/11



Scott C. Seaman
Radiation Safety Officer

S/N: 21048
Leak Tested: 8/19/10
Due: 8/19/11
 Seaman Nuclear Corporation
Oak Creek, WI (414) 762-5100