

U.S. NUCLEAR REGULATORY COMMISSION

MATERIALS LICENSE

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 36, 39, 40, and 70, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

Licensee	
1. APEX Environmental Consultants, Inc.	3. License number 15-29409-01
2. 14955 W. 101 <sup>st</sup> Terrace Lenexa, Kansas 66215	4. Expiration date October 31, 2020
	5. Docket No. 030-38375 Reference No.

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|----------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Cobalt-57</p> | <p>7. Chemical and/or physical form</p> <p>A. Sealed sources (Isotope Products Laboratory Models 3814 or 3901 series; QSA Global, Inc. Model CTC.P1; North American Scientific Model IND 1150 or IND 1403; or DuPont Merck Pharmaceutical Company Model NER-472 or NER-372)</p> | <p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. 15 millicuries per source and 60 millicuries total</p> |
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9. Authorized use:
- A. To be used for surface inspection to determine the presence of lead-based paint in Radiation Monitoring Devices, Inc., Model LPA-1 X-Ray Fluorescence Analyzers that have been registered either with NRC under 10 CFR 32.210 or with an Agreement State and have been distributed in accordance with an NRC or Agreement State specific license authorizing distribution to persons specifically authorized by an NRC or Agreement State license to receive, possess, and use the devices.

CONDITIONS

10. Licensed material may be used or stored only at the licensee's facilities located at:
- A. Temporary job sites anywhere in the United States where the U.S. Nuclear Regulatory Commission maintains jurisdiction for regulating the use of licensed material, including areas of exclusive Federal jurisdiction within Agreement States.

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If the jurisdiction status of a Federal facility within an Agreement state is unknown, the licensee should contact the federal agency controlling the job site in question to determine whether the proposed job site is an area of exclusive Federal jurisdiction. Authorization for use of radioactive materials at job sites in Agreement States not under exclusive Federal jurisdiction shall be obtained from the appropriate state regulatory agency.

11. Licensed materials may be used by, or under the supervision and in the physical presence of, individuals who have received the training described in the application dated September 9, 2010.
12. The Radiation Safety Officer (RSO) for this license is Christopher S. Frey.
13.
  - A. Sealed sources shall be tested for leakage and/or contamination at intervals not to exceed the intervals specified in the certificate of registration issued by U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or by an Agreement State.
  - B. In the absence of a certificate from a transferor indicating that a leak test has been made within the intervals specified in the certificate of registration issued by U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or by an Agreement State prior to the transfer, a sealed source or detector cell received from another person shall not be put into use until tested and the results received.
  - C. Sealed sources need not be tested if they are in storage and are not being used. However, when they are removed from storage for use or transferred to another person, and have not been tested within the required leak test interval, they shall be tested before use or transfer. No sealed source shall be stored for a period of more than 10 years without being tested for leakage and/or contamination.
  - D. The leak test shall be capable of detecting the presence of 0.005 microcurie (185 becquerels) of radioactive material on the test sample. If the test reveals the presence of 0.005 microcurie (185 becquerels) or more of removable contamination, a report shall be filed with the U.S. Nuclear Regulatory Commission in accordance with 10 CFR 30.50(c)(2), and the source shall be removed immediately from service and decontaminated, repaired, or disposed of in accordance with Commission regulations. The report shall be filed within 5 days of the date the leak test result is known with the U.S. Nuclear Regulatory Commission, Region IV, 612 East Lamar Boulevard, Suite 400, Arlington, Texas 76011-4125, ATTN: Director, Division of Nuclear Materials Safety. The report shall specify the source involved, the test results, and corrective action taken.
  - E. Tests for leakage and/or contamination shall be performed by persons specifically licensed by the U.S. Nuclear Regulatory Commission or an Agreement State to perform such services. In addition, the licensee is authorized to collect leak test samples but not perform the analysis; analysis of leak test samples must be performed by persons specifically licensed by the Commission or an Agreement State to perform such services.
  - F. Records of leak tests results shall be kept in units of microcuries and shall be maintained for 3 years.
14. Detector cells shall not be opened or the sealed source removed from the detector cell by the licensee.

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15. The licensee shall conduct a physical inventory every 6 months, or at other intervals approved by the U.S. Nuclear Regulatory Commission, to account for all sources and/or devices received and possessed under the license. Records of inventories shall be maintained for 5 years from the date of each inventory, and shall include the radionuclides, quantities, manufacturer's name and model numbers, and the date of the inventory.
16. Maintenance, repair, cleaning, replacement, and disposal of sealed sources contained in detector cells shall be performed only by the device manufacturer or other persons specifically authorized by the U.S. Nuclear Regulatory Commission or an Agreement State to perform such services.
17. The licensee is authorized to transport licensed material only in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
18. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. The U.S. Nuclear Regulatory Commission's regulations shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the regulations.
- A. Application dated September 9, 2010 (ML102810076)



FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date October 15, 2010

By /RA/  
Roberto J. Torres, Senior Health Physicist  
Nuclear Materials Safety Branch B  
Region IV  
Arlington, Texas 76011-4125