



Delaware City Refining Company, LLC
4550 Wrangle Hill Road
Delaware City, Delaware 19706
February 10, 2011

CMRR# 7009 0800 0002 2634 5141

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

Br 3

LL 31432

030 38418

03120

Ref: NRC Form 313 - New License Application

Dear Licensing Assistance Team,

(07-31432-01)

The Delaware City Refining Company, LLC is submitting application for material license for its refinery located in Delaware City, Delaware. A completed and certified *NRC Form 313 - Application for Material License* form and supplemental supporting documentation has been included. Based on License Fee Category 03120, a check for \$1,400 has also been included as part of the application.

If there are any questions or concerns related to the application for material license please contact me.

Sincerely,

Todd E. Bretz, CSP
Refinery Safety Supervisor

Delaware City Refining Company, LLC
4550 Wrangle Hill Road
Delaware City, DE 19706

Tel: (302) 836-6609
E-Mail: Todd.Bretz@PBFEnegy.com

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REGION 1
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NMSS/RGN1 MATERIALS-002

NRC FORM 313
(4-2004)
10 CFR 30, 32, 33,
34, 35, 36, 39, and 40

U.S. NUCLEAR REGULATORY COMMISSION

APPROVED BY OMB: NO. 3150-0120

EXPIRES: 10/31/2005

Estimated burden per response to comply with this mandatory collection request: 7 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 F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by internet e-mail to infocollects@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.

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 EXEMPT 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 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, MISSISSIPPI, 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, 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
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TX 76011-4005

LL 31432
030 38418
03120

(07-31432-01)

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)

- A. NEW LICENSE
- B. AMENDMENT TO LICENSE NUMBER _____
- C. RENEWAL OF LICENSE NUMBER _____

2. NAME AND MAILING ADDRESS OF APPLICANT (Include ZIP code)

Delaware City Refining Company, LLC
4550 Wrangle Hill Road
Delaware City, DE 19706

3. ADDRESS WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED

Delaware City Refining Company, LLC
4550 Wrangle Hill Road
Delaware City, DE 19706

4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

Richard A. Pyle

TELEPHONE NUMBER

(302) 834-6444

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)

FEE CATEGORY	03120	AMOUNT ENCLOSED	\$ 1,400.00
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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

Todd Bretz - Refinery Safety Manager

SIGNATURE

Todd G Bretz

DATE

02/10/2011

FOR NRC USE ONLY

TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
			\$		
APPROVED BY				DATE	

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8 Contents of an Application

The following comments apply to the indicated items on NRC Form 313 (Appendix A).

8.1 Item 1: License Action Type

THIS IS AN APPLICATION FOR (Check appropriate item):

Type of Action	License No.
<input checked="" type="checkbox"/> A. New License	Not Applicable
<input type="checkbox"/> B. Amendment	XX-XXXXXX-XX
<input type="checkbox"/> C. Renewal	XX-XXXXXX-XX

8.2 Item 2: Applicant's Name and Mailing Address

Delaware City Refining Company, LLC
4550 Wrangle Hill Road
Delaware City, DE 19706

8.3 Item 3: Address Where Licensed Material Will Be Used or Possessed

Delaware City Refining Company, LLC
4550 Wrangle Hill Road
Delaware City, DE 19706

8.4 Item 4: Person to Be Contacted about this Application

Richard A Pyle

8.5 Item 5: Radioactive Material

Thermo Fisher Scientific fixed gauges using Cs-137.

8.5.1 Sealed Sources and Devices

Cs-137 Industrial Fixed Gauges

Manufacturer	SSDR	Gauge Model Number	Gauge Serial Number	Activity (Bq)	Activity (mCi)
ThermoFisherScientific	TX634D141B	5204	B430	37 GBq	1000
ThermoFisherScientific	TX634D141B	5204	B251	7.4 GBq	200
ThermoFisherScientific	TX634D141B	5204	B250	7.4 GBq	200
ThermoFisherScientific	TX634D141B	5204	B249	3.7 GBq	100
ThermoFisherScientific	TX634D103U	5178A	B192	1.85 GBq	50
ThermoFisherScientific	TX634D103U	5178A	B191	1.85 GBq	50
TFS Kay Ray	TX0634D173B	7063P	30819	18.5 GBq	500
TFS Kay Ray	TX0634D173B	7063P	S93M1004	1.85 GBq	50

8.5.2 Financial Assurance and Recordkeeping for Decommissioning

Will not need. Not within thresholds in 10 CFR 30.35(b) and (d).

8.6 Item 6: Purpose(s) for Which Licensed Material Will Be Used

Gauges should be used only for the purposes for which they were designed, according to the manufacturers or distributor's recommendations and instructions, as specified in an approved SSD Registration Certificate, and as authorized on an NRC license.

8.7 Item 7: Individual(s) Responsible for Radiation Safety Program and Their Training Experience

Richard A Pyle ---RSO Qualifications

- Graduated from RSO school 17 Sept, 2004 (Ohmart Vega Corporation, Cincinnati Ohio) 40 hour class.
- Assigned Alt RSO upon completion (Premcor DCR Site) Not listed on Site NRC license per Sr. site RSO Geoff Silverberg.
- Participated in routine Leak Test & Shutter Checks at DCR Site.
- Participated in 2010 source transfer and disposal through Thermo Fisher Scientific.

8.7.1 Radiation Safety Officer (RSO)

The RSO will be Richard A Pyle. Attached is copy of RSO course completion certificate.

8.7.2 Authorized Users

Before using licensed materials, we will make sure authorized users will have successfully completed one of the training courses described in Criteria in the section entitled 'Authorized Users' in NUREG-1556, Vol. 4, 'Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Fixed Gauge Licenses,' dated October 1998."

8.9 Item 9: Facilities and Equipment

We will ensure that the location of each fixed gauge meets the criteria in the section entitled 'Facilities and Equipment' in NUREG-1556, Vol. 4, 'Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Fixed Gauge Licenses,' dated October 1998."

8.10 Item 10: Radiation Safety Program

8.10.1 Audit Program

Fixed Gauge Audit Checklist: All areas indicated in audit notes may not be applicable to every license and may not need to be addressed during each audit. For example, licensees do not need to address areas which do not apply to their activities and activities which have not occurred since the last audit need not be reviewed at the next audit.

Licensee's name _____
Date of This Audit _____
(Auditor Signature)

(Management Signature)

License No. _____
Date of Last Audit _____
Date _____
Date _____

Audit History

- A. Last audit of this location conducted on (date) _____
- B. Were previous audits conducted at intervals not to exceed 12 months? [10 CFR 20.1101]
- C. Were records of previous audits maintained? [10 CFR 20.2102]
- D. Were any deficiencies identified during last two audits or two years, whichever is longer?
- E. Were corrective actions taken? (Look for repeated deficiencies).

Organization and Scope of Program

- A. If the mailing address or places of use changed, was the license amended?
- B. If ownership changed or bankruptcy filed, was NRC prior consent obtained or was NRC notified?
- C. Radiation Safety Officer
 - 1. If the RSO was changed, was license amended?
 - 2. Does new RSO meet NRC training requirements?
 - 3. Is RSO fulfilling his/her duties?
 - 4. To whom does RSO report?
- D. If the designated contact person for NRC changed, was NRC notified?
- E. Sealed Sources and Devices
 - 1. Does the license authorize all of the NRC regulated radionuclides contained in gauges?
 - 2. Are the gauges as described in the Sealed Source and Device (SSD) Registration Certificate?
 - 3. Have copies of (or access to) SSD Certificates?
 - 4. Have manufacturers' or distributors manuals for operation and maintenance? [10 CFR 32.210]
 - 5. Are the actual uses of gauges consistent with the authorized uses listed on the license?
 - 6. Are the location of the gauges compatible with the "Conditions of Normal Use" and "Limitations and/or Other Considerations of Use" on the SSD Registration Certificates?

Training and Instructions to Workers

- A. Were all workers who are likely to exceed 1 mSv (100 mrem) in a year instructed per [10 CFR 19.12]? Refresher training provided, as needed [10 CFR 19.12]? Records maintained?
- B. Did each AU receive training and instruction given at the time of gauge installation or equivalent training and instruction before using gauges?
- C. Are training records maintained for each AU?
- D. Did individuals who perform non-routine operations receive training before performing these operations?
- E. Did interviews with AUs reveal that they know the emergency procedures?
- F. Did this audit include observations of AUs using the gauge?
- G. Did this audit include observations of workers performing routine cleaning and lubrication on the gauge?
- H. HAZMAT training provided, if required? [49 CFR 172.700, 172.701, 172.702, 172.703, 172.704]

Radiation Survey Instruments

- A. If the licensee is required to possess a survey meter, does it meet the NRC's criteria? [10 CFR 20.1501]

B. Are calibration records maintained [10 CFR 20.2103(a)]?

Gauge Inventory

- A. Is a record kept showing the receipt of each gauge? [10 CFR 30.51(a)(1)]
- B. Are all gauges physically inventoried every six months?
- C. Are records of inventory results with appropriate information maintained?

Personnel Radiation Protection

- A. Are ALARA considerations incorporated into the radiation protection program? [10 CFR 20.1101(b)]
- B. Were prospective evaluations performed showing that unmonitored individuals receive 10% of limit? [10 CFR 20.1502(a)]
- C. Did unmonitored individuals' activities change during the year which could put them over 10% of limit?
- D. If yes to C. above, was a new evaluation performed?
- E. Is external dosimetry required (individuals likely to receive >10% of limit.)? And is dosimetry provided to these individuals?
 - 1. Is the dosimetry supplier NVLAP approved? [10 CFR 20.1501(c)]
 - 2. Are the dosimeters exchanged monthly for film badges and quarterly for TLD's?
 - 3. Are dosimetry reports reviewed by the RSO when they are received?
 - 4. Are the records NRC Forms or equivalent? [10 CFR 20.2104(d), 20.2106(c)]
 - a. NRC-Form 4 "Cumulative Occupational Exposure History" completed?
 - b. NRC-Form 5 "Occupational Exposure Record for a Monitoring Period" completed?
 - 5. Declared pregnant worker/embryo/fetus
 - a. If a worker declared her pregnancy, did licensee comply with [10 CFR 20.1208]?
 - b. Were records kept of embryo/fetus dose per [10 CFR 20.2106(e)]?
- F. Are records of exposures, surveys, monitoring, and evaluations maintained [10 CFR 20.2102, 20.2103, 20.2106]

Public Dose

- A. Is public access to gauges controlled in a manner to keep doses below 1 mSv (100 mrem) in a year? 10 CFR 20.1301(a)(1)]
- B. Has a survey or evaluation been performed per 10 CFR 20.1501(a)? Have there been any additions or changes to the storage, security, or use of surrounding areas that would necessitate a new survey or evaluation?
- C. Do unrestricted area radiation levels exceed 0.02 mSv (2 mrem) in any one hour? [10 CFR 20.1301(a)(2)]
- D. Is gauge access controlled in a manner that would prevent unauthorized use or removal? [10 CFR 20.1801]
- E. Records maintained? [10 CFR 20.2103, 20.2107]

Operating and Emergency Procedures

- A. Have operating and emergency procedures been developed?
- B. Do they contain the required elements?
- C. Does each individual working with the gauges have a current copy of the operating and emergency procedures (including lock-out procedures and emergency telephone numbers)?
- D. Is a lock-out warning sign posted at each entryway to an area where it is possible to be exposed to the beam?
- E. Did any emergencies occur?
 - 1. If so, were they handled properly?

2. Were appropriate corrective actions taken?
3. Was NRC notification or reporting required? [10 CFR 20.2201, 20.2202, 20.2203]

Leak Tests

- A. Was each sealed source leak tested every 6 months or at other prescribed intervals?
- B. Was the leak test performed according to the license?
- C. Are records of results retained with the appropriate information included?
- D. Were any sources found leaking and if yes, was NRC notified?

Maintenance of Gauges

- A. Are manufacturer's or distributors procedures followed for routine cleaning and lubrication of gauge?
- B. Was each on-off mechanism tested for proper operation every 6 months or at other prescribed intervals?
- C. Are repair and maintenance of components related to the radiological safety of the gauge performed by the manufacturer, distributor or person specifically authorized by the NRC or an Agreement State and according to license requirements (e.g., extent of work, procedures, dosimetry, survey instrument, compliance with 10 CFR 20.1301 limits)?
- D. Are labels, signs, and postings identifying gauges containing radioactive material, radiation areas, and lock-out procedures/warnings clean and legible?

Transportation

(Note: This section will not apply if you have not transported gauges during the period covered by this audit.)

- A. DOT-7A or other authorized packages used? [49 CFR 173.415, 173.416(b)]
- B. Package performance test records on file?
- C. Special form sources documentation? [49 CFR 173.476(a)]
- D. Package has two labels (ex. Yellow-II) with TI, Nuclide, Activity, and Hazard Class? [49 CFR 172.403, 173.441]
- E. Package properly marked? [49 CFR 172.301, 172.304, 172.310, 172.324]
- F. Package closed and sealed during transport? [49 CFR 173.475(f)]
- G. Shipping papers prepared and used? [49 CFR 172.200(a)]
- H. Shipping papers contain proper entries? {Shipping name, Hazard Class, Identification Number (UN Number), Total Quantity, Package Type, Nuclide, RQ, Radioactive Material, Physical and Chemical Form, Activity (SI units required), category of label, TI, Shipper's Name, Certification and Signature, Emergency Response Phone Number, Cargo Aircraft Only (if applicable)} [49 CFR 172.200, 172.201, 172.202, 172.203, 172.204, 172.604]
- I. Shipping papers within drivers reach and readily accessible during transport? [49 CFR 177.817(e)].
- J. Package secured against movement? [49 CFR 177.834]
- K. Placards on vehicle, if needed? [49 CFR 172.504]
- L. Proper overpacks, if used? [49 CFR 173.25]
- M. Any incidents reported to DOT? [49 CFR 171.15, 171.16]

Auditor's Independent Survey Measurements (If Made)

- A. Describe the type, location, and results of measurements. Does any radiation level exceed regulatory limits? [10 CFR 20.1501(a) & 20.1502(a)]

Notification and Reports

- A. Was any radioactive material lost or stolen? Were reports made? [10 CFR 20.2201, 30.50]
- B. Did any reportable incidents occur? Were reports made? [10 CFR 20.2202, 21.21, 30.34, 30.36, 30.50]
- C. Did any overexposures and high radiation levels occur? Reported? [10 CFR 20.2203, 30.50]
- D. If any events (as described in items a through c above) did occur, what was root cause? Were corrective actions appropriate?
- E. Is the management/RSO/shift foreman licensee aware of telephone number for NRC Emergency Operations Center? [(301) 816-5100]

Posting and Labeling

- A. NRC-Form 3 "Notice to Workers" posted? [10 CFR 19.11]
- B. NRC regulations, license documents posted or a notice posted? [10 CFR 19.11, 21.6]
- C. Other posting and labeling? [10 CFR 20.1902, 20.1904]

Record Keeping for Decommissioning

- A. Records kept of information important to decommissioning? [10 CFR 30.35(g)]
- B. Records include all information outlined in [10 CFR 30.35(g)]?

Bulletins and Information Notices

- A. NRC Bulletins, NRC Information Notices, NMSS Newsletters, received?
- B. Appropriate training and action taken in response?

Special License Conditions or Issues

- A. Did auditor review special license conditions or other issues (e.g., non-routine operations)?

Deficiencies Identified in Audit; Corrective Actions

- A. Summarize problems/deficiencies identified during audit.
- B. If problems/deficiencies identified in this audit, describe corrective actions planned or taken. Are corrective actions planned or taken at ALL licensed locations (not just location audited)? Include date(s) when corrective actions are implemented.
- C. Provide any other recommendations for improvement.

Evaluation of Other Factors

- A. Senior licensee management is appropriately involved with the radiation protection program and/or RSO oversight?
- B. RSO has sufficient time to perform his/her radiation safety duties?
- C. Licensee has sufficient staff to support the radiation protection program?

8.10.2 Instruments

If we choose to use survey meters we will use survey instruments that meet the Criteria in the section entitled 'Radiation Safety Program - Instruments' in NUREG-1556, Vol. 4, 'Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Fixed Gauge Licenses,' dated October 1998"; and each survey meter will be calibrated by the manufacturer or other person authorized by the NRC or an Agreement State to perform survey meter calibrations.

8.10.3 Material Receipt and Accountability

We will maintain records of receipt, transfer, and disposal and conduct semiannual physical inventories. Receipt, transfer, and disposal records must be maintained for the times specified in Table 8-2. These records will contain the following types of information:

- Radionuclide and activity (in units of becquerels or curies) of byproduct material in each sealed source
- Manufacturer's or distributor's name, model number, and serial number (if appropriate) of each device containing byproduct material
- Location of each sealed source and device
- For materials transferred or disposed of, the date of the transfer or disposal, name and license number of the recipient, description of the affected radioactive material (e.g., radionuclide, activity, manufacturer's or distributor's name and model number, serial number).

Table 8.2 Record Maintenance

Type of Record	How Long Record Must be Maintained
Receipt	For as long as the material is possessed until 3 years after transfer or disposal
Transfer	For 3 years after transfer
Disposal	Until NRC terminates the license

Physical inventories will be conducted at least every 6 months or at other intervals approved by the NRC, to account for all sealed sources and devices received and possessed under the license.

8.10.4 Occupational Dose

We will perform a prospective evaluation demonstrating that unmonitored individuals are not likely to receive, in one year, a radiation dose in excess of 10% of the allowable limits in 10 CFR Part 20 or we will provide dosimetry that meets the Criteria in the section entitled 'Radiation Safety Program - Occupational Dosimetry' in NUREG-1556, Vol. 4, 'Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Fixed Gauge Licenses,' dated October 1998."

8.10.5 Public Dose

No response is required from the applicant during the licensing phase. Documentation demonstrating compliance will be examined during inspection.

8.10.6 Operating and Emergency Procedures

Operating and emergency procedures will be developed, implemented, maintained, and distributed, and will meet the Criteria in the section entitled 'Radiation Safety Program - Operating and Emergency Procedures' in NUREG - 1556, Vol. 4, 'Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Fixed Gauge Licenses,' dated October 1998";

8.10.7 Leak Tests

Leak tests will be performed at intervals approved by the NRC or an Agreement State and specified in the Sealed Source and Device Registration Certificate. Leak tests will be performed by an organization authorized by NRC or an Agreement State to provide leak testing services to 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. Records of leak test results will be maintained.

8.10.8 Maintenance

Routine maintenance does *not* include any activities that involve:

- Components, including electronics, related to the radiological safety of the gauge (e.g., the source, source holder, source drive mechanism, shutter, shutter control or shielding)
- Installation, relocation, or alignment of the gauge
- Initial radiation surveys
- Replacement and disposal of sealed sources
- Removal of a gauge from service
- A potential for any portion of the body to come into contact with the primary radiation beam
- Any other activity during which personnel could receive radiation doses exceeding NRC limits

Mounting a gauge is unpacking or uncrating the gauge, and fastening, hanging, or affixing the gauge into position before using. Mounting does not include electrical connection, activation, or operation of the gauge. Installing a gauge includes mounting, electrical connection, activation, and first use of the device. Specific NRC or Agreement State authorization is required to install a gauge. However, a licensee may initially mount a gauge, without specific NRC or Agreement State authorization, if the gauge's SSD Certificate explicitly permits it and under the following guidelines:

- The gauge must be mounted according to written instructions provided by the manufacturer or distributor
- The gauge must be mounted in a location compatible with the "Conditions of Normal Use" and "Limitations and/or Other Considerations of Use" in the certificate of registration issued by NRC or an Agreement State
- The on-off mechanism (shutter) must be locked in the off position, if applicable, or the source must be otherwise fully shielded
- The gauge must be received in good condition (package was not damaged)
- The gauge must not require any modification to fit in the proposed location.
- A statement that: "We will implement and maintain procedures for routine maintenance of our gauges according to each manufacturer's or distributors written recommendations and instructions."

8.10.9 Transportation

We will have the manufacturer, distributor or other person specifically licensed to transport gauges by the NRC or Agreement State arrange for preparing and shipping licensed material

8.11.1 Gauge Disposal and Transfer

When disposing of fixed gauges we will contact the original manufacturer or distributor of the device or a commercial firm licensed by the NRC or an Agreement State to accept radioactive waste from other persons, or another specific licensee authorized to possess the licensed material.

OHMART VEGA

Richard Pyle, Jr

Premcor Delaware City, DE

Has successfully completed the
Ohmart Radiation Safety Course

September 13th, 2004 - September 17th, 2004

Presented at Ohmart/Vega Corporation

Subject matter covered:

Basic atomic theory
Measurement and monitoring techniques
Exposure calculations
Biological effects of radiation
NRC regulations
Leak test, shutter check
Installation, relocation, and removal procedures
Hands on lab work
Proper disposal practices
Emergency procedures
DOT Shipping



George W. Brown
Radiation Safety Officer
Training Manager

OHMART VEGA Corporation
Technical Training Schools, Cincinnati, Ohio 45209

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

2/10/2011, and to inform you that the initial processing which includes an administrative review has been performed.

NEW LICENSE APPLICATION (0303848)
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** 574436.
When calling to inquire about this action, please refer to this control number.
You may call us on (610) 337-5398, or 337-5260.