

**U.S. NUCLEAR REGULATORY COMMISSION****TELEPHONE CONVERSATION RECORD****Date:** 5/2/2011 & 5/5/2011**Time:** 1500 hrs & 0830 hrs resp.**Mail Control  
or Report No(s).**

575079

**License No(s).**

52-31439-01

**Docket No(s).**

03038446

**Name of Licensee:** Non-Licensee; Sierra Geotechnical Group, Inc.**Name of Participant(s):** Jose' Diaz, Geotech. Engineer & RSO; Carlos Sierra, President  
Scott Wilson, Lester Tripp**Telephone No.** 787-919-7597**Subject:** Request for information regarding NARM possession and NRC license.**(NOTE: This will be used as the  
Documents Title in ADAMS)**

On May 2, 2011, Sierra Geotechnical Group, Inc. was called in an effort to reconcile the lists of NARM registrants provided by Puerto Rican regulatory authorities and the NRC database of licensees authorized to possess byproduct material.

The following information was obtained and communicated to the individuals above during the call:

Company Address: Carolina Shopping Court Office 012, 65 De Infanteria Esq. Roberto Clemente, Carolina 00985, Puerto Rico;

Mailing Address: P.O. Box 1570, Trujillo Alto, Puerto Rico 00977-1570

Contact name and phone number: Jose J. Diaz (787) 919-7597

1. Do you possess any radioactive material?  
ANSWER: Yes. We have 4 Seaman Nuclear Model C-300 gauges containing Ra-226 sources (4.5 mCi each)
2. Are you authorized by NRC license to possess the gauges?  
ANSWER: No. We do not have an NRC license. We were authorized by Puerto Rico registration. We did not know we needed an NRC license.
3. Are the gauges labeled and stored with two independent physical controls to prevent unauthorized access?  
ANSWER: Yes. The gauges are labeled and are stored with two independent controls. They are stored behind two locked steel doors and no unauthorized individuals have access to the gauges or the keys to the storage location.
4. Are the gauges stored in a manner that would ensure exposure to members of the public is less than 2 mrem/hr and 100 mrem/yr?  
ANSWER: Yes. The gauges are stored away from areas normally occupied by individuals.
5. Effective on November 30, 2007, regulatory authority for licensing of your gauges is under the jurisdiction of NRC. This means that individuals possessing radioactive materials such as the Radium-226 contained in your gauges needed to either apply for an NRC license or disposition the regulated materials. Why didn't

you apply for an NRC license?

ANSWER: We were not aware of the NRC's authority and did not know that we needed to apply for NRC license until you informed us during this call. It was not a requirement when we acquired the gauges. We heard that Puerto Rico was no longer registering the devices but were unclear on the requirements regarding any regulatory authority.

- 6. The NRC now has regulatory authority of the licensed material in your possession. You must place the material in storage and maintain it until a license is issued. Information on the application process can be found in NUREG1556 Vol 1, available via NRC's website. For information on fees, you may contact Shirley Crutchfield at 301-415-6096.

ANSWER: We will store the gauges and apply for a license immediately. We will also inquire about the fee.

- 7. Where did you purchase the gauges and do you have a receipt?

ANSWER: Tomas Cuerda, Inc., PO Box 363307, San Juan. We purchased the gauges ~6-7 yrs ago. We will submit the receipt with our license application.

- 8. As a gauge owner, you must become aware of the requirements for gauge programs under NRC license. Are you aware that you need a Radiation Safety Officer, that users must be trained in the safe use, security, and transport of gauges?

ANSWER: Our program has a radiation safety officer, our users are trained.

- 9. When will you submit an application for NRC license?

ANSWER: Our consultant will complete the paperwork and we will submit the application this evening or tomorrow.

On May 2, 2011, the RSO and President were called to verify potential personal privacy information (PII) included in their NRC license application dated May 3, 2011. The RSO confirmed that the telephone number and email address listed in the application under RSO was personal information in which he did not want released to the public. The President stated that the telephone numbers listed on the cover letter dated May 3, 2011 was business related and he had no reservations about them being made public.

During the call, the President stated that he was concerned that the RSO had not been aware of the need to apply for an NRC license authorizing the possession of their gauges and that he depends on the RSO to ensure regulatory compliance. The President was informed that the possession and use of the gauges without NRC authorization was an apparent violation. The President stated that the company, while they had not been regulated by NRC, had based their program on compliance with the NRC regulations. He further stated that had he known, he would have ensured that the license was applied for. He stated that he supports full compliance and was disappointed to find that they were not in compliance.

NOTE: Blake Welling, DNMS MS&I Branch Chief informed of the results of these conversations. Sierra Geotechnical Group, Inc. license application was received in RI on May 3, 2011.

**Action Required: Document this telephone record in ADAMS under the Mail Control, License & Docket above.**

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