

U.S. NUCLEAR REGULATORY COMMISSION**Date:** 5/12/2011**TELEPHONE CONVERSATION RECORD****Time:** 1416 hrs**Mail Control
or Report No(s).**

575125

License No(s).

52-31279-01

Docket No(s).

03037552

Name of Licensee: R&F Asphalt Unlimited, Inc.**Name of Participant(s):** Moises Estrada, QC Manager; Juan Robles, RSO
Scott Wilson, Lester Tripp, Michelle Killian**Telephone No.** 787-284-3065**Subject:** Request for information regarding NARM possession and NRC license.**(NOTE: This will be used as the
Documents Title in ADAMS)**

Individuals were 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 during the call:

1. Do you possess any radioactive material?
ANSWER: Yes. We have 3 Seaman Nuclear Corporation Model C-200 gauges containing Ra-226 sources (4.5 mCi each); and 1 CPN Model MC-1-DRP.
2. Are you authorized by NRC license to possess the gauges?
ANSWER: Yes. We have an NRC license for CPN gauges containing Cs-137 & Am-241. We were authorized by Puerto Rico registration for our Seaman gauges containing Ra-226.
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. 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 within regulatory limits (2 mrem in any one hour, 100 mrem per year)?
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 regarding the gauges containing radium, and did not know that we needed to apply for amendment to our NRC license until you informed us during this call. It was not a requirement when we acquired the gauges.
6. You must cease use of the gauges containing Ra-226 and request an amendment to your license to include the gauges containing Ra-226 as they are not authorized by your current license. Information on the application process can be found in NUREG1556 Vol 1, available via NRC's website.

ANSWER: We will store the gauges and apply for amendment to our license immediately.

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

ANSWER: We acquired the gauges from another licensee, Super Asphalt.

8. When will you submit an application for NRC license?

ANSWER: Our consultant will complete the paperwork and we will submit the amendment request early tomorrow.

NOTE: The licensee submitted a letter requesting a license amendment dated May 12, 2011, following this telephone conversation. Blake Welling, DNMS MS&I Branch Chief informed of the results of this conversation.

Action Required: Document this telephone conversation in ADAMS under the Docket, License and Mail Control numbers above.

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