

**Michael G. Herr, CHP**  
**MATERIALS LICENSING BRANCH**  
**UNITED STATES NUCLEAR REGULATORY COMMISSION**  
REGION III  
2443 WARRENVILLE ROAD STE 210  
LISLE, ILLINOIS 60532-4352  
OFFICE: (630)-829-9752 FAX: (630) 515-1078

**CONVERSATION RECORD**

TIME

DATE

**ACTUALLY FAXED?** Yes.

3:33 CST.

5/4-5/5-11

NAME OF PERSON(S) CONTACTED

James LaChapple

Proposed Radiation Safety Officer

ORGANIZATION

White Earth Department

of Transportation

TELEPHONE NO.

O: (218)-983-3263

F: (218)-983-3253

SUBJECT

License No.: To be Assigned

Control No.: 574764

SUMMARY

During our review of your NRC Form 312 "Application for Materials License" dated March 2, 2011 (with attachments), it appeared that your application had not been completely prepared in accordance with the guidance provided in NUREG 1556, Vol. 1, Rev. 1, "Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Portable Gauge Licenses, Revision 1." The website for the NUREG 1556 Vol.1 Rev. 1 is provided below:

<http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/v1/r1/>

This omission has resulted in an incomplete application.

Item No. 10 "Radiation Safety Program" in your application dated March 2, 2011 (with attachments) information requested by NUREG 1556 Vol. 1 Rev.1 was not submitted. Please provide the following information requested below.

Item No. 3 "Address Where Licensed Material Will Be Used Or Possessed.," You provided no information about use of your gauges at temporary job sites in Item 3 of your application. However, during discussions on May 4, 2011, and May 5, 2011, you stated that you plan on using your licensed materials at temporary job sites within the White Earth Reservation on lands that are under "exclusive Federal jurisdiction." **Please confirm that you will be using your licensed material at temporary jobsites on lands under "exclusive Federal jurisdiction" within White Earth Reservation.**

In Item 10.1, "Radiation Safety Program-Personnel Monitoring Program," **Please respond by requesting either "Maintain, for inspection by NRC, documentation demonstrating that unmonitored individuals are not likely to received, in one year, a radiation dose in excess of 10 percent of the allowable limits in 10 CFR Part 20" or "We will provide dosimetry processed and evaluated by an NVLAP-approved processor that is exchanged at a frequency recommended by the processor."**

In Item 10.2, "Radiation Safety Program-Radiation Detection Instruments," Please **respond by requesting "We will either possess and use, or have access to and**

use, a radiation survey meter that meets the Criteria in the section entitled 'Radiation Safety Program – Instruments' in NUREG-1556, Vol. 1, Rev. 1, dated November 2001."

In Item 10.3, "Radiation Safety Program-Leak Testing," Please respond by requesting "Leak tests will be performed at intervals approved by NRC or an Agreement State and specified in the Sealed Source and Device Registration Sheet. Leak tests will be performed by an organization authorized by NRC or an Agreement State to provide leak testing services for other licensees or using 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."

In Item 10.6, "Radiation Safety Program-Operating and Emergency Procedures," Please respond by requesting either "We will implement and maintain the operating and emergency procedures in Appendix H of NUREG-1556, Vol. 1, Rev. 1, 'Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Portable Gauge Licenses,' dated November 2001, and provide copies of these procedures to all gauge users and at each job site" or "Operating and emergency procedures will be developed, implemented, and maintained, and will meet the criteria in the section entitled 'Radiation safety Program – Operating and Emergency Procedures' in NUREG-1556, Vol. 1, Rev. 1, 'Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Portable Gauge Licenses,' dated November 2001."

Item No 10.7 "Radiation Safety Program-Program Maintenance" Please also specify whether you intend to perform non-routine maintenance activities yourself (and note that additional, substantial information will be required if you do) or stipulate that you will send the gauges to the vendor for all non-routine maintenance.

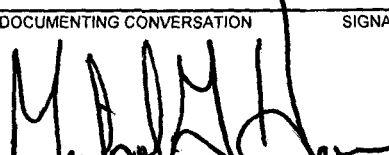
We will be unable to continue processing your request until we receive this information.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically in the NRC Public Document Room or from the Publicly Available Record (PARS) component of NRC's document system (ADAMS) accessible from the NRC Website at <http://www.nrc.gov/reading-rem/adams.html>.

ACTION REQUIRED

Upon receipt of your response we will resume our review. Address your written response to my attention at the above address and please be sure to reference Mail Control No. 574764.

PLEASE DIRECT ANY QUESTIONS YOU MAY HAVE TO ME AT (630) 829-9752

NAME OF PERSON DOCUMENTING CONVERSATION	SIGNATURE	DATE
Michael G. Herr, CHP		May. 6, 2011

TRANSMISSION VERIFICATION REPORT

TIME : 05/05/2011 22:20  
 NAME : USNRC REGION3 DNMS  
 FAX : 6305151259  
 TEL :  
 SER.# : 000A7J925770

DATE, TIME 05/05 22:20  
 FAX NO./NAME 12189833253  
 DURATION 00:00:47  
 PAGE(S) 02  
 RESULT OK  
 MODE STANDARD  
 ECM

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TELEPHONE NO.

James LaChapple

White Earth Department

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TIME : 05/05/2011 22:19  
NAME : USNRC REGION3 DNMS  
FAX : 6305151259  
TEL :  
SER.# : 000A7J925770

DATE, TIME  
FAX NO./NAME  
DURATION  
PAGE(S)  
RESULT  
MODE

05/05 22:18  
12189833253  
00:00:20  
01  
OK  
STANDARD  
ECM

NRC FORM 386 (R11)  
(4-2004)



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION III  
2443 Warrenville Road, Suite 210  
Lisle, Illinois 60532-4352

TELEFAX TRANSMITTAL

DATE: 5-6-11

NUMBER OF PAGES: 3  
(including this page)

SEND TO: JAMES LA CHAPPEL

LOCATION: WHITE EARTH DEPARTMENT of TRANSPORTATION

FAX NUMBER: 218 - 993 - 3253 ☐ **VERIFY BY CALLING SENDER**

FROM: MICHAEL G. HERR  
(SENDER)

TELEPHONE NUMBER: 630 - 829 - 5752 FAX NUMBER: 630 - 515 - 1254 1079

If you do not receive the complete fax transmittal, please contact the sender as soon as possible at the telephone number provided above.

MESSAGE

PLEASE SEE ATTACHED  
RECEIVED DEC 2000



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION III  
2443 Warrenville Road, Suite 210  
Lisle, Illinois 60532-4352

TELEFAX TRANSMITTAL

DATE: 5-6-11 NUMBER OF PAGES: 3  
(including this page)

SEND TO: JAMES, LA CHAPPELLE

LOCATION: WHITE EARTH DEPARTMENT OF TRANSPORTATION

FAX NUMBER: 218 - 983 - 3253 ☐ **VERIFY BY CALLING SENDER**

FROM: Michael G. Hear  
(SENDER)

TELEPHONE NUMBER: 630 - 829 - 9752 FAX NUMBER: 630 - 515 - 1259 1679

If you do not receive the complete fax transmittal, please contact the sender as soon as possible at the telephone number provided above.

MESSAGE

PLEASE SEE ATTACHED  
CONVERSATION RECORD

A handwritten signature in dark ink, appearing to read "Michael G. Hear".

NOTICE

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UNITED STATES  
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TELEFAX TRANSMITTAL

DATE: 5-5-11 NUMBER OF PAGES: 3  
(including this page)

SEND TO: JAMES LA CAPPLE

LOCATION: WHITE EARTH DEPARTMENT OF TRANSPORTATION

FAX NUMBER: 218 - 983 - 3263 ☐ **VERIFY BY CALLING SENDER**

FROM: \_\_\_\_\_  
(SENDER)

TELEPHONE NUMBER: 630 - - FAX NUMBER: 630 - 515 - 1259

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MESSAGE

NOTICE

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