



VITEST ENGINEERS

Civil Engineering, Geotechnical Engineering
Materials Testing, Environmental Services

email: info@vitestengineers.com

Phone: 340-514-3500

Fax: 866-267-1882

September 13, 2011

LI

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

VIA FAX: 610-337-5269

(55-31454-01)

LL 31454
03038489
03121

Dear sir/madam:

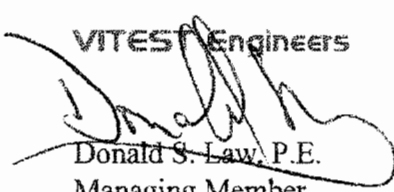
VITEST Engineers, LLC is submitting the attached application for materials license to use nuclear density gauges in the course of our engineering services.

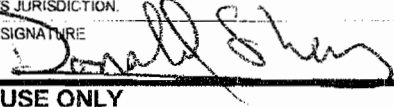
The completed application and required attachments are included in this facsimile. The fee for the application will be submitted by the Friday September 23, 2011.

Please expedite the application so that we can provide testing services on an upcoming project. You can contact the undersigned at 340-514-3500 or via e-mail: donlaw@vitestengineers.com at any time, if you have any questions or require additional information.

Very truly yours,

VITEST Engineers


Donald S. Law, P.E.
Managing Member

NRC FORM 313 (3-2009) 10 CFR 30, 32, 33, 34, 35, 36, 39, and 40	U.S. NUCLEAR REGULATORY COMMISSION	APPROVED BY OMB: NO. 3150-0120	EXPIRES: 3/31/2012		
APPLICATION FOR MATERIALS LICENSE		Estimated burden per response to comply with this mandatory collection request: 4.3 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 F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by internet e-mail to infocollects.resource@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.			
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: OFFICE OF FEDERAL & STATE MATERIALS AND ENVIRONMENTAL MANAGEMENT PROGRAMS DIVISION OF MATERIALS SAFETY AND STATE AGREEMENTS U.S. NUCLEAR REGULATORY COMMISSION WASHINGTON, DC 20555-0001		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 219 Lisle, IL 60532-4352			
ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS: IF YOU ARE LOCATED IN: ALABAMA, CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, FLORIDA, GEORGIA, KENTUCKY, MAINE, MARYLAND, MASSACHUSETTS, 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		ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, HAWAII, IDAHO, KANSAS, LOUISIANA, MISSISSIPPI, 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 612 E. LAMAR BOULEVARD, SUITE 400 ARLINGTON, TX 76011-4125			
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) <input checked="" type="checkbox"/> A. NEW LICENSE <input type="checkbox"/> B. AMENDMENT TO LICENSE NUMBER <input type="checkbox"/> C. RENEWAL OF LICENSE NUMBER		2. NAME AND MAILING ADDRESS OF APPLICANT (Include ZIP code) VITEST Engineers, LLC P.O. Box 154 Christiansted, Virgin Islands 00821			
3. ADDRESS WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED 9-10 Gallows Bay Christiansted, VI 00820		4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION Donald S. Law, P.E. TELEPHONE NUMBER <div style="text-align: right;">(340) 514-3500</div>			
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 1.C AMOUNT ENCLOSED \$ 1,300.00			
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 Donald S. Law - Managing Member		SIGNATURE 			
DATE 09/01/2011		FOR NRC USE ONLY			
TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
			\$		
APPROVED BY		DATE			

RESPONES TO ITEMS 5-11

Item 5: RADIOACTIVE MATERIALS – SEALED SOURCES AND DEVICES

1 -TROXLER 3430 Density Gauge

Radionuclides: Cesium 137
 Americium 141

Item 6: PURPOSE FORWHICH LICENSED MATERIAL WIL BE USED

The gauges will be used for the purposes described in their respective SSD Registration Sheet.

Item 7: INDIVIDUAL RESPOONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING EXPERIENCE- RADIATION SAFTEY OFFICER (RSO)

Donald S. Law, P.E. is the RSO for VITEST Engineers LLC. He has at least 20 years experience in operating nuclear density gauges. He is a certified user since 1987. He is a trained RSO since 1992. Copies of his current certifications are attached.

Item 8: TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS.

Before using licensed materials, authorized users will have successfully completed one of the courses described in the Criteria in the section entitled "Training for Individuals Working in or Frequenting Restricted Areas" in NUREG 1556 Vol-1, "Consolidated Guidance about materials license: Program-Specific guidance about Portable Gauge Licenses" dated May 1997.

The current user of gauges has at least 20 years as an operator. Copy of his current certification is attached.

Item 9: FACILITIES AND EQUIPMENT

Adequate security and control over the gauges will be maintained. All effort will be made to ensure compliance with public dose limits.

Item 10: RADIATION SAFETY PROGRAM – AUDIT PROGRAM

An annual audit of the content and implementation of the radiation protection program will be conducted by the RSO.

Item 10: RADIATION SAFETY PROGRAM – TERMINATION OF ACTIVITIES

The NRC will be notified when a decision is made to permanently cease licensed activities. Appropriate documentation will be submitted if the gauges are to be disposed of or transferred.

Item 10: RADIATION SAFETY PROGRAM – INSTRUMENTS

We will possess and use a radiation survey meter that meets the Criteria in the section entitled "Radiation Safety Program- Instruments" in NUREG 1556 Vol-1, "Consolidated Guidance about materials license: Program-Specific guidance about Portable Gauge Licenses" dated May 1997, in the event of an incident.

Item 10: RADIATION SAFETY PROGRAM – MATERIAL RECEIPT AND ACCOUNTABILITY

We will conduct a physical inventory at intervals not to exceed 6 months, to account for all devices received and possessed under the license.

Item 10: RADIATION SAFETY PROGRAM – OCCUPATIONAL DOSIMETRY

We will provide dosimetry processed and evaluated by a NVLAP-approved processor that is exchanged at a frequency recommended by the processor.

Item 10: RADIATION SAFETY PROGRAM – PUBLIC DOSE

All precautions will be taken to assure that the gauges will be used transported and stored so that the public dose does not exceed the minimum required.

We will maintain control and constant surveillance over the gauges when not in the storage area.

Item 10: RADIATION SAFETY PROGRAM – OPERATING AND EMERGENCY PROCEDURES.

We will implement and maintain the operating and emergency procedures in Appendix H of NUREG 1556 Vol-1, "Consolidated Guidance about materials license: Program-Specific guidance about Portable Gauge Licenses" dated May 1997, and provide copies of these procedures to each user and to each jobsite.

Item 10: RADIATION SAFETY PROGRAM – LEAK TEST

Leak tests will be conducted at intervals approved by NRC or the Agreement State and specified in the Sealed Source and Device Registration Sheet. Leak tests will be performed using leak test kits supplied by an organization approved by NRC or an Agreement State to provide leak test kits to other licensees and according to the kit supplier's instructions.

Item 10: RADIATION SAFETY PROGRAM – MAINTENANCE

We will implement and maintain procedures for routine maintenance of our gauges according to the manufacturer's recommendations and instructions.

We will send the gauge to the manufacturer or other person authorized by NRC or an Agreement state to perform non-routine maintenance or repair operations that requires detaching the source or source rod from the gauge.

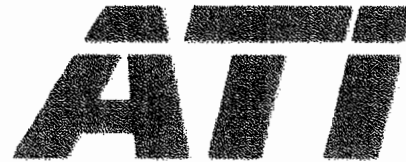
Item 10: RADIATION SAFETY PROGRAM – TRANSPORTATION

We will implement procedures to meet the DOT guidelines.

Item 11: WASTE MANAGEMENT- GAUGE DISPOSAL AND TRANSFER.

We will establish waste disposal and transfer procedures in our Radiation Safety program.

Certificate of Completion



American Technical Institute, LLP

This is to certify that

Donald Law

has completed a course of study in

103 - Radiation Safety Officer Portable Density/Moisture Gauge Training

dated

July 18, 2009

offered by

American Technical Institute

Instructor: Troy B. Bandy, P.E.

ATI Phone: (702)515-7482

ATI Fax: (888) 635-1458

Web site: www.ati.coursehost.com

American Technical Institute
5130 S. Ft. Apache Rd. #215-245
Las Vegas, Nevada 89148

TROXLER ELECTRONIC LABORATORIES, INC.

HEREBY CERTIFIES THAT

DONALD S. LAW

of

DAMES & MOORE

HAS SUCCESSFULLY COMPLETED THE TROXLER ELECTRONIC LABORATORIES, INC.
TRAINING COURSE FOR THE USE OF NUCLEAR TESTING EQUIPMENT.

SUBJECTS INCLUDED IN THIS COURSE WERE AS FOLLOWS:

Radiological Safety

1. Principles and practices of radiation protection.
2. Leak testing procedures.
3. Mathematics and calculations basic to the use and measurement of radioactivity.
4. Biological effects of radiation.
5. Radioactivity measurement standardization and monitoring techniques and instruments.
6. Accident and incident procedures.
7. Procedures for nuclear gauge storage and transportation.
8. General safety precautions.

Gauge Operation

1. Instrument theory
2. Operating procedures
3. Maintenance
4. Field application
5. Gauge calibration

Michael E. Nunley
INSTRUCTOR

09-21-67
DATE

W. F. Troxler
PRESIDENT

Nº 19638

Certificate of Completion



This is to certify that
Donald Law
has completed a course of study in
104 - Yearly Refresher Course - Portable Nuclear Gauge
dated
August 17, 2011
offered by
American Technical Institute

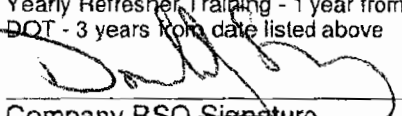
Training satisfies US DOT training requirements of 49 CFR 172 including:

- Emergency Procedures
- Methods and procedures for avoiding accidents
- Hazardous materials identification and recognition
- Self-protection measures
- Regulations applicable to job function

Certification expiration:

Yearly Refresher Training - 1 year from date listed

DOT - 3 years from date listed above


Company RSO Signature

American Technical Institute
5130 S. Ft. Apache Rd. #215-245
Las Vegas, Nevada 89148