



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, ILLINOIS 60532-4352

APR 17 2012

Ben Huckins
Radiation Safety Officer
ArcelorMittal USA, Inc.
Indiana Harbor
3210 Watling Street
East Chicago, IN 46312

Dear Mr. Huckins:

Enclosed is Amendment No. 57 amending your NRC Material License No. 13-03086-03 in accordance with your request. Please note that the changes made to your license are printed in **bold font**.

Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region III office at (630) 829-9887 so that we can provide appropriate corrections and answers.

Please note, we have not added Scott Bush as the Radiation Safety Officer at this time because we need additional information regarding his training and experience. Please resubmit your request and provide responses to the "Request for Additional Information" (enclosed).

Also note, we have updated License Condition 28.

You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you. This could include issuance of a notice of violation, or imposition of a civil penalty, or an order suspending, modifying or revoking your license as specified in the General Statement of Policy and Procedure for NRC Enforcement Actions. Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken when dealing with licensees who do not achieve the necessary meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

NRC's Regulatory Issue Summary (RIS) 2005- 31 provides criteria to identify security-related sensitive information and guidance for handling and marking of such documents. This ensures that potentially sensitive information is not made publicly available through ADAMS, the NRC's electronic document system. Pursuant to NRC's RIS 2005-31 and in accordance with 10 CFR 2.390, the enclosed license document is exempt from public disclosure because its disclosure to unauthorized individuals could present a security vulnerability. The RIS may be located on the NRC Web site at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2005/ri200531.pdf> and the link for frequently asked questions regarding protection of security related sensitive information may be located at: <http://www.nrc.gov/reading-rm/sensitive-info/faq.html>.

The enclosed document contains sensitive security-related information.
When separated from this cover letter this letter is uncontrolled.

B. Huckins

A copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). The NRC's document system is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,



William P. Reichhold
Materials Licensing Branch

License No. 13-03086-03

Docket No. 030-04353

Enclosure: Amendment No. 57
Request for Additional Information

The enclosed document contains sensitive security-related information.
When separated from this cover letter this letter is uncontrolled.

~~Official Use Only - Security-Related Information~~

REQUEST FOR ADDITIONAL INFORMATION

Telephone (630) 829-9839

FAX (630) 515-1078

To: Ben Huckins - Radiation Safety Officer

Location: AcelorMittal USA, Inc.,

Date: April 16, 2012

Please note, we have not added Scott Bush as the Radiation Safety Officer at this time because we need additional information regarding his training and experience. Please resubmit your request and provide the following additional information:

1. Please provide a topic outline of the Radiation Safety Officer course provided by Dade Moeller Radiation Safety Academy that Scott Bush completed on December 9, 2011. Please make sure that the topics match the topics in Appendix G of NUREG-1556, Volume 4, "Criteria for Acceptable Training for Authorized Users and Radiation Safety Officers". Please see the enclosed documents. You may also find a copy of NUREG-1555, Volume 4 on the NRC website at <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/v4/>.
2. Please provide the attendance list showing that Scott Bush successfully completed the ArcelorMittal USA- Authorized User Radiation Safety Training provide by Stan Huber Consultants.
3. Please provide documentation that Scott Bush has successfully completed the "Supervised Hands-on Experience" performing the following"
 - Operating procedures
 - Test runs of emergency procedures
 - Routine maintenance
 - Lock-out procedures

Please resubmit your request as additional information to **mail control 576837**.

Please call me at (630) 829-9839, if you have any questions.

From the desk of:
Bill Reichhold
Bill Reichhold

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The enclosed document contains sensitive security-related information. When separated from this "Request for Additional Information", this "Request for Additional Information" is uncontrolled.

Response from Applicant: Provide either of the following:

- If the fixed gauge(s) will be used for the purposes listed on the SSD Registration Certificate, do the following:
 - State that “The fixed gauge(s) will be used for the purposes described on the SSD Registration Certificate(s)”
 - Provide a specific description of use for each type of gauge requested, e.g., “for use in measuring the thickness of paper, the bulk density and weight of coal on a belt scale, etc.”

OR

- If the fixed gauge will be used for purposes other than those listed on the SSD Registration Certificate, specify these other purposes and submit safety analyses (and procedures, if needed) to support safe use.

Note:

- Allowed uses of fixed gauges normally include process control methods such as measuring the thickness of paper, the density of coal, the level of material in vessels and tanks, etc.
- Unusual uses will be evaluated on a case-by-case basis and the authorized use condition will reflect approved uses.

8.7 ITEM 7: INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING EXPERIENCE

8.7.1 RADIATION SAFETY OFFICER (RSO)

Regulations: 10 CFR 30.33(a)(3).

Criteria: Radiation Safety Officers (RSOs) must have adequate training and experience. Successful completion of training of one of the following is evidence of adequate training and experience.

- Fixed gauge manufacturer’s or distributor’s course for users or for RSOs

Equivalent course that meets Appendix G criteria

Additional training is required for RSOs of programs that perform non-routine operations. This includes repairs involving or potentially affecting components related to the radiological safety of

CONTENTS OF AN APPLICATION

the gauge (e.g., the source, source holder, source drive mechanism, shutter, shutter control, or shielding) and any other activities during which personnel could receive radiation doses exceeding NRC limits (e.g., installation, initial radiation survey, gauge relocation, and removal of the gauge from service). See "Radiation Safety Program - Maintenance" in this report and Appendix N, "Non Routine Operations."

Discussion: The person responsible for the radiation protection program is called the Radiation Safety Officer (RSO). The RSO needs independent authority to stop operations that he or she considers unsafe. He or she must have sufficient time and commitment from management to fulfill certain duties and responsibilities to ensure that radioactive materials are used in a safe manner. Typical RSO duties are illustrated in Figure 8.2 and described in Appendix F. NRC requires the name of the RSO on the license to ensure that licensee management has always identified a responsible, qualified person and that the named individual knows of his or her designation as RSO.

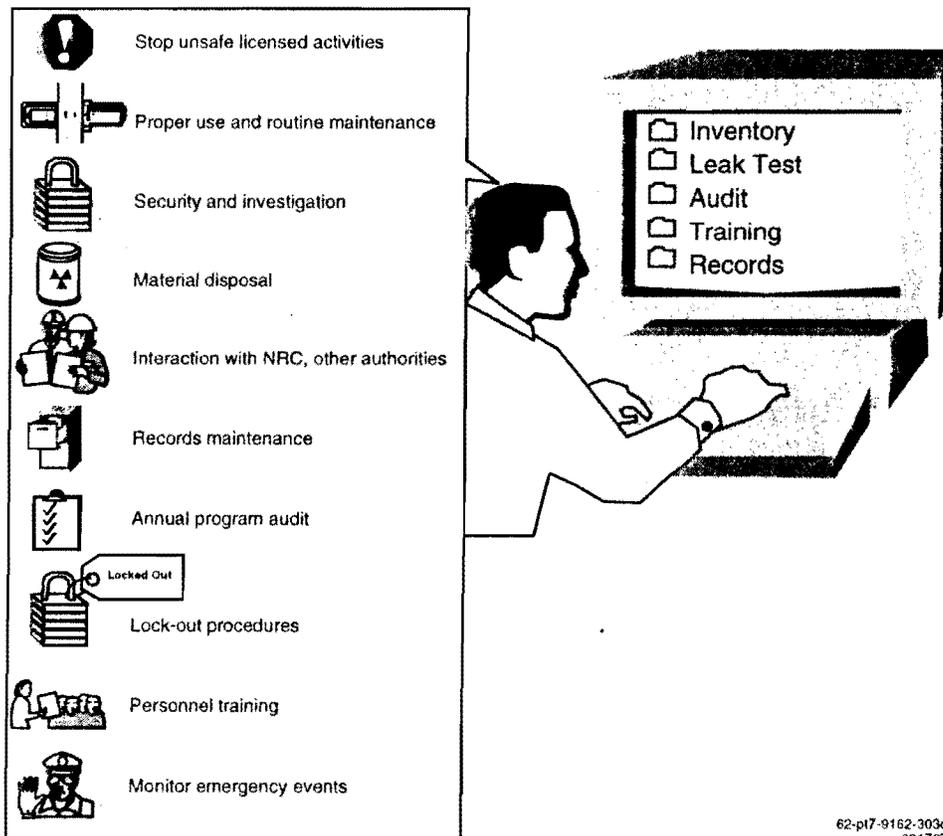


Figure 8.2 RSO Responsibilities. *Typical duties and responsibilities of RSOs.*

Response from Applicant: Provide the following:

- Name of the proposed RSO;

AND EITHER

- Statement that: "Before obtaining licensed materials, the proposed RSO will have successfully completed the training described in Criteria in the section entitled 'Radiation Safety Officer' in NUREG-1556, Vol. 4, 'Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Fixed Gauges Licenses,' dated October 1998"; and
- Statement that: "Before being named as the RSO, future RSOs will have successfully completed the training described in Criteria in the section entitled 'Radiation Safety Officer' in NUREG-1556, Vol. 4, 'Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Fixed Gauges Licenses,' dated October 1998. Within 30 days of naming a new RSO, we will submit the new RSO's name to NRC to include in our license."

OR

- Alternative information demonstrating that the proposed RSO and any future RSO are qualified by training and experience.

Note:

- It is important to notify NRC, as soon as possible, of changes in the designation of the RSO; such notifications will be handled as administrative amendments not requiring fees as long as the application contains the commitment listed in the third bullet under "Response from Applicant."
- Alternative responses will be evaluated using the criteria listed above.

8.7.2 AUTHORIZED USERS

Regulations: 10 CFR 30.33(a)(3).

Criteria: Authorized users (AUs) must have adequate training and experience. Successful completion of one of the following is evidence of adequate training and experience:

- Fixed gauge manufacturer's or distributor's course for users
- Equivalent course that meets Appendix G criteria

Appendix G

Criteria for Acceptable Training for Authorized Users and Radiation Safety Officers

Criteria for Acceptable Training for Authorized Users and Radiation Safety Officers

Course Content

Classroom training may be in the form of lecture, videotape, or self-study emphasizing practical subjects important to safe use of the gauge:

Radiation Safety:

- Radiation vs. contamination
- Internal vs. external exposure
- Biological effects of radiation
- Types and relative hazards of radioactive material possessed
- ALARA concept
- Use of time, distance, and shielding to minimize exposure
- Location of sealed source within the gauge

Regulatory Requirements:

- Applicable regulations
- License conditions, amendments, renewals
- Locations of use and storage of radioactive materials
- Material control and accountability
- Annual audit of radiation safety program
- Transfer and disposal
- Recordkeeping
- Prior events involving fixed gauges
- Handling incidents
- Recognizing and ensuring that radiation warning signs are visible and legible
- Licensing and inspection by regulatory agency
- Need for complete and accurate information

APPENDIX G

- Employee protection
- Deliberate misconduct

Practical Explanation of the Theory and Operation for Each Gauge Possessed by the Licensee:

- Operating and emergency procedures
- Routine vs. non-Routine maintenance
- Lock-out procedures

On-the-job training must be done under the supervision of an AU or RSO:

- Supervised Hands-on Experience Performing:
 - Operating procedures
 - Test runs of emergency procedures
 - Routine maintenance
 - Lock-out procedures

Training Assessment

Management will ensure that proposed AUs are qualified to work independently with each type of gauge with which they may work. Management will ensure that proposed RSO's are qualified to work independently with and are knowledgeable of the radiation safety aspects of all types of gauges to be possessed by the applicant. This may be demonstrated by written or oral examination or by observation.

Course Instructor Qualifications

Instructor should have:

- Bachelor's degree in a physical or life science or engineering
- Successful completion of a fixed gauge manufacturer's or distributor's course for users (or equivalent)
- Successful completion of an 8 hour radiation safety course; and
- 8 hours hands-on experience with fixed gauges

OR

- Successful completion of a fixed gauge manufacturer's or distributor's course for users (or equivalent)
- Successful completion of 40 hour radiation safety course; and
- 30 hours of hands-on experience with fixed gauges.

OR

- The applicant may submit a description of alternative training and experience for the course instructor.

Note: Additional training is required for those applicants intending to perform non-routine operations such as installation, initial radiation survey, repair, and maintenance of components related to the radiological safety of the gauge, gauge relocation, replacement, and disposal of sealed sources, alignment, or removal of a gauge from service. See Appendix N - "Non-Routine Operations."