

**NRC FORM 313**  
(05-2012)  
10 CFR 30, 32, 33,  
34, 35, 36, 39, and 40

**U.S. NUCLEAR REGULATORY COMMISSION**

**APPROVED BY OMB: NO. 3150-0120**

**EXPIRES: (05/31/2016)**

**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 Information Services Branch (T-5 F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by internet e-mail to [Infocollects.Resource@nrc.gov](mailto: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

**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  
2100 RENAISSANCE BOULEVARD, SUITE 100  
KING OF PRUSSIA, PA 19406-2713

**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 210  
LISLE, IL 60532-4352

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  
1600 E. LAMAR BOULEVARD  
ARLINGTON, TX 76011-4511

**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)**

- A. NEW LICENSE
- B. AMENDMENT TO LICENSE NUMBER
- C. RENEWAL OF LICENSE NUMBER 34-17406-02

**2. NAME AND MAILING ADDRESS OF APPLICANT (Include ZIP code)**

The Shelly Company  
P.O. Box 266  
Thornville, OH 43076

**3. ADDRESS WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED**

16 East Columbus Street  
Thornville, OH 43076

8775 Blackbird Lane  
Thornville, OH 43076

**4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION**

Larry E. Shively

BUSINESS TELEPHONE NUMBER  
(740) 246-5009

BUSINESS CELLULAR TELEPHONE NUMBER  
(740) 503-2071

BUSINESS EMAIL ADDRESS  
[lshively@shellyco.com](mailto:lshively@shellyco.com)

**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 3P AMOUNT ENCLOSED \$1500.00

**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**

LARRY E SHIVELY, VP

**SIGNATURE**

*[Handwritten Signature]*

**DATE**

2/20/13

**FOR NRC USE ONLY**

TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
			\$		
APPROVED BY				DATE	



Quality Control Laboratory  
8775 Blackbird Road  
Thornville Ohio 43076  
740-246-5009  
740-246-6810 Fax

February 18, 2013

**5. RADIOACTIVE MATERIAL**

**A. ELEMENT AND MASS NUMBER**

1. Cesium-137
2. Americium-241
3. Americium-241

**B. PHYSICAL/CHEMICAL FORM**

1. Sealed Source (Troxler Dwg. No. A-102112)
2. Sealed Source (Troxler Dwg. No. A-102451)
3. Sealed Source (Troxler Dwg. Nos. A-100608 or A-100337)

**C. MAXIMUM ACTIVITY**

1. No single source to exceed 9 millicuries each
2. No single source to exceed 44 millicuries each
3. No single source to exceed 300 millicuries each

**6. PURPOSE FOR WHICH MATERIAL WILL BE USED:**

1. To be used in Troxler Model 4640 Series surface density gauges.
1. & 2. To be used in Troxler Model 3400 Series moisture/density gauges.
3. To be used in Troxler Model 3241 Series asphalt content gauges.

**7. RADIATION SAFETY OFFICER**

1. Larry E. Shively  
A. Assistant Radiation Safety Officer – Thomas S. White

**8. TRAINING**

All training will be provided by any or all of the following companies:  
(Choice will be based on availability)

1. Troxler Electronic Laboratories, Inc.
2. Instrotek, Inc.
3. Cline's Technical Services

**9. FACILITIES AND EQUIPMENT**

Licensed material may be used at the licensee's facilities located at 8775 Blackbird Road, Thornville, Ohio, at temporary job sites of the licensee or at hot mix asphalt facilities anywhere in the state of Ohio. Gauges out of service, or removed from hot mix asphalt facilities at end of construction season shall be stored at 8775 Blackbird Road or at 16 E. Columbus Street both at Thornville, Ohio. (A drawing of each site included).

**10. RADIATION PROTECTION PROGRAM**

- A. Personnel Monitoring
  1. Film Badges for all working personnel (LANDAUER).
- B. Instrumentation
  1. Troxalert Monitor by Troxler(serial number 596)
- C. Procedures
  1. See Attachment
- D.1. Ohio Department Of Health
  - 246 N. High Street
  - Post Office Box 118
  - Columbus, Ohio 43216-0118

**11. WASTE MANAGEMENT**

1. None

THE SHELLY COMPANY  
QUALITY CONTROL LABORATORY  
8775 BLACKBIRD LANE  
THORNVILLE, OHIO 43076



MATERIALS LICENSING BRANCH  
U.S.NRC REGION III  
2443 WARRENVILLE ROAD, SUITE 210  
LISLE, ILLINOIS 60532-4352

