

BERNARDIN • LOCHMUELLER & ASSOCIATES, INC.

6200 Vogel Road • Evansville, Indiana 47715-4006 • www.blainc.com
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One Source for a World of Solutions

September 11, 2013

Materials Licensing Branch
U.S. Nuclear Regulatory Commission, Region III
2443 Warrenville Road, Suite 210
Lisle, IL 60532-4351

RE: Control Number 581156
Licensee: Bernardin, Lochmueller & Associates, Inc.
License No.: 13-25890-01

Dear Mrs. Bishop:

I would like to specify the possession limits for each radionuclide listed in Sub item Nos. 8.A. and 8.B. of our NRC Material License. At present we own six (6) nuclear density gauges. Therefore, we would like to set our license limit for Cesium-137 at 54 millicurie and for Americium-241 at 264 millicurie. These limits are based on source strength of 9 millicurie for Cesium-137 and 44 millicurie for Americium-241.

I will continue to act as the RSO for our company and Scott Schoenbachler will continue to act as our Assistant RSO. I have been through Troxler Radiation Safety Training Class and the Radiation Officer Safety Class. Scott has also been through the Troxler Safety Class. Furthermore, I understand and accept the duties and responsibilities associated with the RSO position.

Currently, we store our gauges at 6200 Vogel Road in Evansville, Indiana, and 3502 Woodview Trace, Indianapolis, Indiana. We also temporarily store our gauges at our construction field offices across the state for specific projects.

All of our Gauges are Troxler brand. We perform leak test on all gauges every six months and send to Troxler for analysis and reports. To date, we have not had any leaking sources. Any maintenance or repair required, has been, and will continue to be performed by Troxler. Furthermore, all of our staff working with the gauge has been through Troxler or other entities Safety Training Classes.

Please review the above supplementary information. If anything is missing or need additional clarification, please advise, so that we can address that accordingly. Please don't hesitate to contact me at (812) 479-6200, if you have any questions or concerns.

Materials Licensing Branch
U.S. Nuclear Regulatory Commission, Region III
September 11, 2013

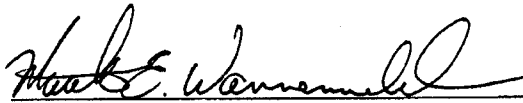
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Respectfully,

BERNARDIN, LOCHMUELLER & ASSOCIATES, INC.



Daryoosh (Dan) Farvardin, P.E. & R.S.O.
Principal, Director of Construction Services



Matthew E. Wannemuehler, PLS
Principal, Administrator of Engineering



CONVERSATION RECORD

09/10/2013

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU Daryoosh "Dan" Farvardin		DATE OF CONTACT 09/10/2013	TYPE OF CONVERSATION <input type="checkbox"/> E-MAIL <input checked="" type="checkbox"/> TELEPHONE <input type="checkbox"/> INCOMING <input checked="" type="checkbox"/> OUTGOING
E-MAIL ADDRESS DFarvardin@blainc.com		TELEPHONE NUMBER (812) 479-6200	

ORGANIZATION Radiation Safety Officer Bernardin, Lochmueller & Associates, Inc.	DOCKET NUMBER(S) 030-30449
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LICENSE NUMBER(S) 13-25890-01	CONTROL NUMBER(S) 581156
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SUBJECT
Additional Information Required for License Renewal Application

SUMMARY
This refers to your request to renew your license dated June 19, 2013, and the phone conversation between Dan Farvardin and Jennifer Bishop on September 10, 2013 at 3:30 pm.

During our review of your license renewal application dated June 19, 2013, it appeared that your application had not been completely prepared in accordance with the guidance in NUREG 1556, Vol. 1, Rev. 1, "Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Portable Gauge Licenses, dated November 2001." This omission has resulted in an incomplete application.

Please resubmit your application to renew your license in entirety, focusing on the responses and commitments in Appendix B to the aforementioned NUREG. A copy of Appendix B has been attached for your convenience. When submitting the application, please provide a signed and currently date NRC Form 313.

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ACTION REQUIRED (IF ANY)
Submit the requested information within 30 calendar days (by October 10, 2013) by referencing control number 581156 to facilitate proper handling in our office. Please contact me if you need to make alternative response arrangements.

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NAME OF PERSON DOCUMENTING CONVERSATION
Jennifer L. Bishop

SIGNATURE

CONVERSATION RECORD (continued)

SUMMARY: (Continued from page 1)

Please note that certain sections of this NUREG have been modified since its last revision, as noted below:

A. We now require a total possession limit for each radionuclide requested, as well as providing the "per source" activity you need, which should match the Sealed Source and Device Registry certificate procured by the vendor.

RESPONSE: Please provide this information and it is acceptable to request more sealed sources than you may actually need immediately, to allow for some growth, so long as the request is reasonable and realistic.

B. You will not be able to change and name your RSO internally; NRC must do that for you via the amendment process.

RESPONSE: Please include the name and qualifications of your proposed RSO and a written, signed (by both senior management and the proposed RSO) and a currently dated statement that stipulates your proposed RSO accepts the RSO position and understands the duties and responsibilities associated with the position. Each proposed RSO must be qualified in accordance with the guidance in NUREG 1556, Vol 1, Rev. 1, Section 8.7, Item 7: Individual(s) Responsible for Radiation Safety Program and Their Training and Experience.

C. In NRC Form 313, Item 3, "Address of Use," you included one address where material will be stored and used. However, there are several location of use currently listed on your license. In addition, you did not include a request to use the gauges at temporary job sites.

RESPONSE: Please confirm in writing all of the locations where the gauges will be used and stored. If any of the locations currently listed on your license are no longer used, please indicate that the location should be removed from the license and provide the most recent leak test results for any device stored at that location, a statement that there has been no history of leaking sources, and confirm in writing that the devices are no longer stored there. Please also indicate if the gauges will be used at temporary job sites.

For guidance on preparing all licensing correspondence, please use NUREG 1556 Vol. 1, Rev. 1, "Consolidated Guidance About Materials Licenses - Program-Specific Guidance About Portable Gauge Licenses." This document can be found at:

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

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Appendix B

Suggested Format for Providing Information Requested in Items 5 through 11

ITEMS 5 AND 6: MATERIALS TO BE POSSESSED AND PROPOSED USES

Yes	No	Radioisotope	Manufacturer or Distributor Model No.	Quantity	Use As Listed on SSD Certificate	Specify Other Uses Not Listed on SSD Certificate
✓		Cesium-137	Sealed source manufacturer or distributor and model number: <u>Troxler</u> Device manufacturer or distributor and model number: <u>Troxler Models</u> 3411 B 3430 3440	Not to exceed either the maximum activity per source or maximum activity per device as specified in Sealed Source and Device Registration Certificate	Yes <input checked="" type="checkbox"/> Specific description of the gauge use: <u>For Soil Compaction and moisture measurement</u>	<input checked="" type="checkbox"/> Not applicable <input type="checkbox"/> Uses are: _____ (Submit safety analysis supporting safe use)
✓		Americium-241	Sealed source manufacturer or distributor and model number: <u>Troxler</u> Device manufacturer or distributor and model number: <u>Troxler Models</u> 3411 B 3430 3440	Not to exceed either the maximum activity per source or maximum activity per device as specified in Sealed Source and Device Registration Certificate	Yes <input checked="" type="checkbox"/> Specific description of the gauge use: <u>Same as above</u>	<input checked="" type="checkbox"/> Not applicable <input type="checkbox"/> Uses are: _____ (Submit safety analysis supporting safe use)

APPENDIX B

Yes	No	Radioisotope	Manufacturer or Distributor Model No.	Quantity	Use As Listed on SSD Certificate	Specify Other Uses Not Listed on SSD Certificate
	✓	Californium-252	Sealed source manufacturer or distributor and model number: _____ Device manufacturer or distributor and model number: _____	Not to exceed either the maximum activity per source or maximum activity per device as specified in Sealed Source and Device Registration Certificate	Yes <input type="checkbox"/> Specific description of the gauge use: _____ _____ _____ _____ _____	<input type="checkbox"/> Not applicable <input type="checkbox"/> Uses are: _____ (Submit safety analysis supporting safe use)
	✓	Other Isotope (Specify):	Sealed source manufacturer or distributor and model number: _____ Device manufacturer or distributor and model number: _____	Not to exceed either the maximum activity per source or maximum activity per device as specified in Sealed Source and Device Registration Certificate	Yes <input type="checkbox"/> Specific description of the gauge use: _____	<input type="checkbox"/> Not applicable <input type="checkbox"/> Uses are: _____ (Submit safety analysis supporting safe use)
<i>Financial Assurance Required and Evidence of Financial Assurance Provided</i>						

ITEMS 7 THROUGH 11: TRAINING AND EXPERIENCE, FACILITIES AND EQUIPMENT, RADIATION SAFETY PROGRAM, AND WASTE DISPOSAL

Item No. And Title	Suggested Response	Yes	Alternative Procedures Attached
<p>7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING AND EXPERIENCE – RADIATION SAFETY OFFICER</p> <p>Name: <i>Dan Farvardin</i></p>	<p>Before obtaining licensed materials, the proposed RSO will have successfully completed one of the training courses described in Criteria in the section entitled "Individual(s) Responsible for Radiation Safety Program and Their Training and Experience – Radiation Safety Officer" in NUREG-1556, Vol. 1, Rev. 1, dated November 2001.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS</p>	<p>Before using licensed materials, authorized users will have successfully completed one of the training course described in Criteria in the section entitled "Training for Individuals Working In or Frequenting Restricted Areas" in NUREG-1556, Vol. 1, Rev 1, dated November 2001.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>9. FACILITIES AND EQUIPMENT</p>	<p>No information needs to be submitted in response to this item; key issues are addressed under "Radiation Safety Program – Public Dose" and "Radiation Safety Program – Operating and Emergency Procedures."</p>	<p>Separate Item 9 Response Need Not Be Submitted With Application</p>	
<p>10. RADIATION SAFETY PROGRAM – AUDIT PROGRAM</p>	<p>The applicant is <i>not</i> required to, and should not, submit its audit program to NRC for review during the licensing phase.</p>	<p>Need Not Be Submitted With Application</p>	
<p>10. RADIATION SAFETY PROGRAM – TERMINATION OF ACTIVITIES</p>	<p>The applicant is <i>not</i> required to submit a response to the termination of activities section during the initial application. However, when the license expires when the licensee ceases operation, NRC Form 314 must be submitted.</p>	<p>Need Not Be Submitted With Application</p>	
<p>10. RADIATION SAFETY PROGRAM – SURVEY INSTRUMENTS</p>	<p>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.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

APPENDIX B

Item No. And Title	Suggested Response	Yes	Alternative Procedures Attached
10. RADIATION SAFETY PROGRAM – MATERIAL RECEIPT AND ACCOUNTABILITY	Physical inventories will be conducted at intervals not to exceed 6 months, to account for all sealed sources and devices received and possessed under the license.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. RADIATION SAFETY PROGRAM – OCCUPATIONAL DOSIMETRY	Either we will maintain, for inspection by NRC, documentation demonstrating that unmonitored individuals are not likely to receive 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. RADIATION SAFETY PROGRAM – PUBLIC DOSE	The applicant is <i>not</i> required to submit a response to the public dose section during the licensing phase. This matter will be examined during an inspection.	Need Not Be Submitted With Application	
10. RADIATION SAFETY PROGRAM – OPERATING AND EMERGENCY PROCEDURES	<p>We will implement and maintain the operating and emergency procedures in Appendix H of NUREG-1556, Vol. 1, Rev. 1, dated November 2001, and provide copies of these procedures to all gauge users and at each job site.</p> <p style="text-align: center;">OR</p> <p>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, dated November 2001.</p>	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>
10. RADIATION SAFETY PROGRAM – LEAK TEST	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 a 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.	<input checked="" type="checkbox"/>	<input type="checkbox"/> The information in Appendix J supporting a request to perform leak testing and sample analysis is attached.

Dalzell-Bishop, Jennifer

From: Farvardin, Daryoosh <DFarvardin@blainc.com>
Sent: Wednesday, September 11, 2013 2:21 PM
To: Dalzell-Bishop, Jennifer
Subject: RE: Transmittal of Conversation Record
Attachments: NRC License Renewal.pdf

Dear Mrs. Bishop,

Attached please find completed Appendix B as per your request. I have also attached a letter providing more details for your records and information. Please let me know if you need anything further. Also please respond to this e-mail so that I am assured you received these documents.

Thanks and have a nice afternoon.

*Daryoosh "Dan" Farvardin, P.E.
Bernardin, Lochmueller and Associates, Inc.
(812) 479-6200*

From: Dalzell-Bishop, Jennifer [<mailto:Jennifer.Dalzell-Bishop@nrc.gov>]
Sent: Tuesday, September 10, 2013 4:19 PM
To: Farvardin, Daryoosh
Subject: Transmittal of Conversation Record

Dear Mr. Farvardin,

Attached is the conversation record form our discussion earlier today. Please send in your response by fax or email, with a signed cover letter, to 630-515-1078.

Please feel free to contact me if you have additional questions.

Sincerely,

Jennifer Bishop
Health Physicist

U.S. Nuclear Regulatory Commission, Region III
Division of Nuclear Materials Safety
Materials Licensing Branch
Jennifer.Dalzell-Bishop@nrc.gov
630-829-9607 (Office)