BARR & PREVEST

531 E. Third Street DAYTON, OH 45402

December 27, 2013

Nuclear Radiation Commission Materials Licensing Branch 2443 Warrenville, Road Lisle, IL 60532-4352

RE: License #34-26553-02

Dear Materials Licensing Branch;

We would like to inform you that the firm TesTech Inc has been acquired by Barr & Prevost. We would like to begin the process to transfer the license listed above, along with all of the nuclear materials held by TesTech Inc to a new owner Barr & Prevost. We would like to confirm that TesTech Inc will no longer continue to operate under the above license number in relation to the use of controlled radioactive material.

Barr & Prevost have acquired all of the material assets including trained personnel from TesTech Inc. The listed Radiation Safety Officer (RSO), Mr. Joseph Cary has been transferred from the RSO at TesTech to the RSO for Barr & Prevost. Please see attached, a letter from a principal at Barr & Prevost granting Mr. Cary full oversight of the controlled radioactive materials held by Barr & Prevost.

We would appreciate any and all assistance in relation to this transition and will provide all the requested and required documentation to correctly complete this transition.

Very truly yours,

Mr. Joseph Cary, RSO Project Manager Barr & Prevost

Enclosures: Letter Confirming Mr. Cary as RSO for Barr & Prevost (page 2) Existing NRC License (March 10, 2009) – listing Mr. Cary as RSO for TesTech Inc (page 3-6) NRC Amendment 9 – Letter (pages 7-8) Ohio Department of Health License, Amendment 4 (pages 9-11)

CC: joseph.cary@barreng.com eoghan.gregory@barreng.com travis.burr@barreng.com aziz@testechinc.com echipukaizer@barreng.com

www.barreng.com

December 19, 2013

2800 Corporate Exchange Dr. Suite 240 Columbus, OH 43231

Mr. Joesph Cary 8164 Executive Ct, Lansing, MI 48910 License No. 31210250014

Re: Designation of Radiation Safety Officer (RSO) On behalf of Barr and Prevost

Dear Mr. Cary;

As the acting Radation Safety Officer (RSO) on Barr and Prevost it is your responcibility to fulfill the oblications on behalf of company as required by the applicable regulatory agency. Mr. Cary has been given the authority to implement company policies, training, review and certification on behalf of the company as required in the completion of this reponcibility.

Very truly yours,

Enou Chow

Mr. Enoch Chipukaizer Principal Barr and Prevost



NRC FORM 374A U.		U.S. NUCLEAR REGULATORY COMMISSION	PAGE 2 of 4 PAGES			
			License Number 34-26553-02			
MATERIALS LICENSE SUPPLEMENTARY SHEET			Docket or Reference Number 030-35054			
			Amendment No. 09			
 Byproduct, source, and/or special 7. Chemical and/or physical fo nuclear material 			orm 8. Maximum amount that licensee may possess at any one time under this license			
D. Cadmium-109 D. Sealed either w CFR 32 Agreem incorpo gauging Item 9 o		9 D. Sealed sources reg either with NRC und CFR 32.210 or with Agreement State ar incorporated in a co gauging device as s Item 9 of this licens	istered der 10 an ndD. No single source to exceed the maximum activity specified in the certificate of registration issued by NRC or an Agreement State, total possession limit of 100 millicuries.			
		-				
9	Authorized use					
0.						
	A. To be used in Troxler Model 4640 portable gauging devices for measurin physical properties of materials.					
	A., B. and C.	To be used in Troxler Models 3400 Series and 3411-B portable gauging devices i measuring physical properties of materials.				
	B. and D. To be used in a Thermo Niton Model XL Series field portable X-ray Fluorescence Analyzer for measuring physical properties of materials.					
	0	CONDITIONS				
10.	 Licensed material may be used or stored at the licensee's facilities located at 8164 Executive Court, Lansing, Michigan, and may be used at temporary job sites of the licensee anywhere in the United States where the U. S. Nuclear Regulatory Commission maintains jurisdiction for regulating the use of licensed material. 					
11.	1. The Radiation Safety Officer for this license is Joseph Cary.					
12. Licensed material shall only be used by, or under the supervision and in the physical presence of individuals who have successfully completed the manufacturer's training program for gauge users, the training program described in application dated March 10, 2009, and facsimile letter dated September 4, 2009 (with attached application dated September 3, 2009) and have been instructed in the licensee's routine and emergency operating procedures and who have been designated by the Radiation Safety Officer. Users of the device listed in Subitem 9. B. and D. shall have successfully completed the manufacturer's training program on the proper and safe use of the device.						
13.	A. Sealed so intervals s Agreemen	ources shall be tested for leakage and/or o specified in the certificate of registration is nt State.	contamination at intervals not to exceed the sued by NRC under 10 CFR 32.210 or by an			

NRC FORM 374A U.S. NUCLEAR REGULATORY COMMISSION		A U.S. NUCLEAR REGULATORY COMMISSION	PAGE 3 of 4 PAGES		
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			Amendment No. 09		
	B. Ir in A sl	n the absence of a certificate from a transferor indic itervals specified in the certificate of registration is greement State prior to the transfer, a sealed sour hall not be put into use until tested.	L cating that a leak test has been made within the sued by NRC under 10 CFR 32.210 or by an ce or detector cell received from another person		
	C. Sealed sources need not be tested if they are in storage and are not being used. However, when they are removed from storage for use or transferred to another person, and have not been tested within the required leak test interval, they shall be tested before use or transfer. No sealed source shall be stored for a period of more than 10 years without being tested for leakage and/or contamination.				
	D. The leak test shall be capable of detecting the presence of 0.005 microcurie (185 becquerels) of radioactive material on the test sample. If the test reveals the presence of 0.005 microcurie (185 becquerels) or more of removable contamination, a report shall be filed with the U.S. Nuclear Regulatory Commission in accordance with 10 CFR 30.50(c)(2), and the source shall be removed immediately from service and decontaminated, repaired, or disposed of in accordance with Commission regulations.				
	E. Tests for leakage and/or contamination shall be performed by persons specifically licensed by the Commission or an Agreement State to perform such services. In addition, the licensee is authorized to collect leak test samples but not perform the analysis: analysis of leak test samples must be performed by persons specifically licensed by the Commission or an agreement State to perform such services.				
	F.R	ecords of leak test results shall be kept in units of	microcuries and shall be maintained for 3 years.		
14.	Sealed detach	sources or source rods containing licensed mater ed from source rods or gauges by the licensee, ex	ial shall not be opened or sources removed or cept as specifically authorized.		
15.	5. The licensee shall conduct a physical inventory every 6 months, or at other intervals approved by the U.S. Nuclear Regulatory Commission, to account for all sources and/or devices received and possessed under the license.				
16.	The lice CFR P	ensee is authorized to transport licensed material of art 71, "Packaging and Transportation of Radioaction	only in accordance with the provisions of 10 ive Material."		
17.	Each p unauth contain tangible not unc	ortable nuclear gauge shall have a lock or outer lo orized or accidental removal of the sealed source f her must be locked when in transport. A minimum e barriers to secure portable gauges from unautho der the control and constant surveillance of the lice	cked container designed to prevent from its shielded position. The gauge or its of two independent physical controls that form rized removal whenever the portable gauge is nsee are required.		
18.	Any cle perforn Agreen	eaning, maintenance, or repair of the gauge(s) that ned only by the manufacturer or by other persons s nent State to perform such services.	requires removal of the source rod shall be specifically licensed by the Commission or an		

NRC FORM 374A U.S. NUCLEAR REGULATORY COMMISSION		PAGE 4	of 4 PAGES			
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			Amendment No. 09			
19.	. Except for maintaining labeling as required by 10 CFR Part 20 or 71, the licensee shall obtain authorization from NRC before making any changes in the sealed source, device, or source-device combination that would alter the description or specifications as indicated in the respective Certificates of Registration issued either by the Commission pursuant to 10 CFR 32.210 or by an Agreement State.					
20.	A. If the licensee uses licensee shall use su and other appropriat below the surface. I licensee shall impler making measurement	unshielded sealed sources externation of the sealed sources externation of the sealed sources externation of the sealed sources to reduce the problem of the sealed of the	nded more than 3 feet below the the lowest depth to 12 inches abo bability of the source or probe bed casing 12 inches above the surfac the cased hole is free of obstructi	surface, the ove the surface coming lodged ce, the on before		
	B. If a sealed source or a probe containing sealed sources becomes lodged below the surface and it becomes apparent that efforts to recover the sealed source or probe may not be successful, the licensee shall notify the U. S. Nuclear Regulatory Commission and submit the report required by 10 CFR 30.50(b)(2) and (c). The licensee shall not abandon the sealed source or probe without obtaining the Commission's prior written consent.					
21.	 Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. The U.S. Nuclear Regulatory Commission's regulations shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the regulations. 					
	A. Application dated Mar	ch 10, 2009;				
	B. Facsimile letter dated	September 4, 2009 (with attach	ed application dated September 3	3, 2009); and		
	C. Letters dated March 1	5. 2011. and May 22. 2013.				
Date	JUL 2 6 2013	By Fra Mat Rec	hk P. D. Tran nk P. D. Tran terials Licensing Branch gion III			



UNITED STATES NUCLEAR REGULATORY COMMISSION

REGION III 2443 WARRENVILLE ROAD, SUITE 210 LISLE, IL 60532-4352

JUL 2 6 2013

Joseph Cary Radiation Safety Officer TesTech, Inc. 8534 Yankee Street Dayton, OH 45458

135 - 1 213

Dear Mr. Cary:

Enclosed is Amendment No. 09 to your NRC Material License No. 34-26553-02 in accordance with your request. Please note that the changes made to your license are printed in **bold** font.

In addition, it has come to our attention that Amendment No. 08 issued on June 07, 2011, contained an error. Item 9 of the license inadvertently listed Troxler Model 4640 for use with Americium-241 and Californium-252. The error was corrected.

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.

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.

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency's *expectations* for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web site at <u>http://www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html</u>. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

In accordance with Title 10 Code of Federal Regulations 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.

Sincerely,

Frank P. D. Tran var

Health Physicist Materials Licensing Branch

License No. 34-26553-02 Docket No. 030-35054

Enclosure: Amendment No. 09

Amendment No. 4

Page 1 of 2

OHIO DEPARTMENT OF HEALTH

LICENSE FOR RADIOACTIVE MATERIAL

Pursuant to Chapter 3748 of the Ohio Revised Code, and in reliance on statements and representations made by the licensee, a license is hereby issued authorizing the licensee named herein to receive, acquire, possess, and transfer radioactive material as designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the applications of Chapter 3748 of the Ohio Revised Code and all applicable rules promulgated thereunder. This license is subject to all applicable rules, regulations and orders of the Ohio Department of Health now or hereinafter in effect and to any conditions specified below

LICENSEF			LICENSE NUMBER			
1.	Barr and Prevost Engineering		3. 31210250014			
			EXPIRATION DATE			
2.	2. 5710 Westbourne Avenue Columbus, OH 43213		4. October 1, 2015			
			FILE NUMBER / ID NUMBER			
			5.	50	918-6409	
6.	RADIOACTIVE MATERIAL 7.	CHEMICAL AND/OR PHYSICAL FORM		8.	MAXIMUM QUANTITY THAT LICENSEE MAY POSSESS AT ANY ONE TIME UNDER THIS LICENSE	

Α.	Cesium-137	Α.	Sealed sources	А.	No single source to exceed 370 MBq (10 mCi); total possession not to exceed 1.85 GBq (50 mCi)
Β.	Americium-241	Β.	Sealed sources	B .	No single source to exceed 1.85 GBq (50 mCi)); total possession not to exceed 9.25 GBq (250 mCi)
C.	Americium-241:Be	C.	Sealed source	C.	No single source to exceed 3.7 GBq (100 mCi)
D.	Cesium-137	D.	Sealed sources	D.	No single source to exceed 333 MBq (9 mCi); total possession not to exceed 10.989 GBq (297 mCi)
E.	Americium-241:Be	E.	Sealed sources	E.	No single source to exceed 1.63 GBq (44 mCi); total possession not to exceed 50.468 GBq (1.364 Ci)

9. Authorized Use

D.

A. and B. (5 gauges) To be used in CPN Technologies Model MC-1-DR gauge for measuring physical properties of materials.

C. (1 gauge) To be used in Troxler Inc. Model 3241-C gauge for field measurement of asphalt content.

i) (31 gauges) To be used in Troxler model 3400 series gauges for measuring physical properties of materials.

ii) (1 gauge) To be used in Troxler model 3411 gauge for measuring physical properties of materials.

iii) (1 gauge) To be used in Troxler model 4640 gauge for measuring physical properties of materials.

E. (31 gauges) To be used in Troxler model 3400 series gauge s for measuring physical properties of materials.

CONDITIONS

- 10. Licensed material may only be used at the licensee's facilities located at:
 - A. 5710 Westbourne Avenue, Columbus, OH 43213;
 - B. 531 E. Third Street, Dayton, OH 45402
 - C. Temporary job-sites anywhere in the state of Ohio.
- 11. The Radiation Safety Officer for this license is:

Robert Westerviller

- 12. Licensed material shall be used by, or under the supervision of individuals who have received the manufacturer's training program and have been approved in writing by the Radiation Safety Officer. The licensee shall maintain records of the individuals who have been designated as authorized users.
- 13. All sealed sources that are use or obtained shall have been evaluated or approved under the provisions of OAC rule 3701:1-46-49, or by equivalent NRC or Agreement State.

14. Sealed sources shall be tested for leakage or contamination in accordance with OAC rule 3701:1-38-24.

OHIO DEPARTMENT OF HEALTH LICENSE FOR RADIOACTIVE MATERIALS Page 2 of 2

License Number: 31210250014

File Number / ID Number: 500918-6409

SUPPLEMENTARY SHEET

Amendment No. 4

15. Sealed sources containing licensed material shall not be opened or removed from source holders by the licensee.

- 16. The licensee shall conduct a physical inventory every 6 months, or at another interval approved by the Director, to account for all sources and/or devices received and possessed under the license. Records of inventories shall be maintained for at least 5 years from the date of each inventory, and shall include the quantities and kinds of licensed material manufacturer's name and model numbers, location of the sources and/or devices, and the date of the inventory.
- 17. Each portable nuclear gauge shall have a lock or outer locked container designed to prevent unauthorized or accidental removal of the sealed source from its shielded position. The gauge or its container must be locked when in transport, storage, or when not under the direct surveillance of an authorized user.
- 18. When performing tests at temporary job sites, the authorized user shall not leave the moisture/density gauge unattended. Upon completion of tests the device shall be locked in a secure fixed location to prevent unauthorized use, loss, or theft.
- 19. Any cleaning, maintenance, or repair of the gauge(s) that requires removal of the source rod shall be performed only by the manufacturer or by other persons specifically licensed by the Director, the NRC or an Agreement State to perform such services.
- 20. The licensee may transport licensed material in accordance with the provisions of OAC rule 3701:1-50.
- 21. Each portable nuclear gauge must be secured with a minimum of two independent physical controls that form tangible barriers to secure portable gauges from unauthorized removal, whenever portable gauges are not under the control and constant surveillance of the licensee, in accordance with OAC rule 3701:1-40-16(H).
- 22. In addition to the possession limits in item 8, the licensee shall further restrict the possession of sealed source licensed materials to quantities below the minimum limit specified in OAC rule 3701:1-40-17 for establishing decommissioning financial assurance.
- 23. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. The Ohio Department of Health's regulations shall govern unless statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the regulations.
 - A. Renewal application dated July 15, 2010; this amendment renews license 31210250014 in its entirety (Amendment 3).
 - B. Email correspondence dated December 4, 5 and 10, 2013 (Amendment 4).

For the Ohio Department of Health

DATE: 12/12/12

BY:

Au

Michael J. Snee, Chief Bureau of Radiation Protection on behalf of the Director of Health

OHIO DEPARTMENT OF HEALTH



246 North High Street Columbus, Ohio 43215

John R. Kasich / Governor

614/466-3543 www.odh.ohio.gov

Theodore E. Wymyslo, M.D. / Director of Health

December 12, 2013

Barr and Prevost Engineering Attn: Radiation Safety Officer 5710 Westbourne Avenue Columbus, OH 43215

Dear Radiation Safety Officer:

Enclosed is Amendment 4 to your State of Ohio Radioactive Materials License No. 31210250014, in accordance with your recent amendment request. Please review the license document to ensure that you understand all of the conditions. If you have any questions or detect any errors, do not hesitate to contact the Bureau of Radiation Protection (BRP) at (614) 644-2727.

Your license will expire on 10/01/2015. You must conduct your radioactive material program in accordance with your license, representations made in your license application and the Ohio Administrative Code. In particular, you must:

- 1. Notify the BRP in writing, within the appropriate time frames, when:
 - a. An authorized user or Radiation Safety Officer discontinues duties under the license or has a name change;
 - b. The licensee's mailing address changes;
 - c. You decide to terminate all activities involving radioactive materials authorized under your license; or
 - d. If you decide not to possess or use the authorized radioactive material.
- 2. Request to obtain a license amendment before you:
 - a. Receive or use radioactive material not authorized on your license;
 - b. Change Radiation Safety Officer;
 - c. Order radioactive material of a different form or in excess of the amount authorized on your license;
 - d. Add or change areas of use, which involve the use of radioactive materials requiring a written directive;
 - e. Add or change areas or addresses of use identified in the license application or on the license;
 - f. Change ownership of the organization; or
 - g. Permit anyone to work as an authorized user who is not listed on your license.
- 3. Submit a complete license Renewal Application at least 90 days before the expiration date of your license (180 days for broad-scope licensees).

The BRP will periodically inspect your operations involving licensed materials. Failure to conduct your radioactive material program in accordance with State of Ohio regulations, license conditions and representations made in your license application may result in enforcement actions against you.

The Ohio Department of Health (ODH) has recently adopted a new Safety Culture Policy Statement. While this policy statement is not a regulation, it sets forth the agency's expectations for individuals and organizations to establish and maintain a positive safety culture for regulated programs using radioactive materials and/or radiation-generating equipment in Ohio. You may access the policy statement on the BRP home page of the ODH web-site at: <<u>http://www.odh.ohio.gov/odhprograms/rp/radprot/radppub1.aspx></u>. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture within your organization.

Sincerely Stephén James

Supervisor Bureau of Radiation Protection

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BARR & PREVOST Enginfering | Testing | Surveying

531 E. 3rd Street Dayton, OH 45402-2280

Nuclear Radiation Commission Materials Licensing Branch 2443 Warrenville Road Lisle, IL 60532-4352