

<b>NRC FORM 313</b> (03-2013) 10 CFR 30, 32, 33, 34, 35, 36, 39, and 40	<b>U.S. NUCLEAR REGULATORY COMMISSION</b> <b>APPLICATION FOR MATERIALS LICENSE</b>	<b>APPROVED BY OMB: NO. 3150-0120</b> 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, 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.
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**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. \*AMENDMENTS/RENEWALS THAT INCREASE THE SCOPE OF THE EXISTING LICENSE TO A NEW OR HIGHER FEE CATEGORY WILL REQUIRE A FEE.**

<b>APPLICATION FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH:</b>  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  <b>ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS:</b> <b>IF YOU ARE LOCATED IN:</b> 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,  <b>SEND APPLICATIONS TO:</b> 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	<b>IF YOU ARE LOCATED IN:</b> ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, <b>SEND APPLICATIONS TO:</b>  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,  <b>SEND APPLICATIONS TO:</b>  NUCLEAR MATERIALS LICENSING BRANCH U.S. NUCLEAR REGULATORY COMMISSION, REGION IV 1600 E. LAMAR BOULEVARD ARLINGTON, TX 76011-4511
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**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 type="checkbox"/> A. NEW LICENSE <input type="checkbox"/> B. AMENDMENT TO LICENSE NUMBER <input checked="" type="checkbox"/> C. RENEWAL OF LICENSE NUMBER	2. NAME AND MAILING ADDRESS OF APPLICANT (Include ZIP code)  H.W. Lochner, Inc 225 W. Washington St., Suite 1200 Chicago, IL 60606				
3. ADDRESS WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED  2110 Silas Deane Highway, Rocky Hill, CT 424 Chapel St., New Haven, CT 903 East 104th St., 1st Floor, Kansas City, MO	4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION John K. Cook  <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">BUSINESS TELEPHONE NUMBER (312) 994-9715</td> <td style="width: 50%;">BUSINESS CELLULAR TELEPHONE NUMBER (312) 282-6512</td> </tr> <tr> <td colspan="2">BUSINESS EMAIL ADDRESS jcook@hwlochner.com</td> </tr> </table>	BUSINESS TELEPHONE NUMBER (312) 994-9715	BUSINESS CELLULAR TELEPHONE NUMBER (312) 282-6512	BUSINESS EMAIL ADDRESS jcook@hwlochner.com	
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BUSINESS EMAIL ADDRESS jcook@hwlochner.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 (Fees required only for new applications, with few exceptions*) (See 10 CFR 170 and Section 170.31)

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  John K. Cook, Vice President	SIGNATURE 	DATE 1/23/14
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FOR NRC USE ONLY					
TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
			\$		
APPROVED BY				DATE	

## USNRC License 12-28232-01

### 3. Locations :

Licensed material shall be held and stored only at the licensee's facilities located at: 2110 Silas Deane Highway, Rocky Hill CT, 06067, 424 Chapel Street, New Haven, CT 06511 and 903 E 104<sup>th</sup> St., 1<sup>st</sup> Floor Storage Room, Kansas City, MO 64131 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 materials.

### 5: Radioactive Material:

A. Cesium – 137	Sealed Sources registered either with NRC under 10CFR32.210 or with an agreement state and incorporated in a compatible gauging device as specified in Item 9 of the license	No Single Source to exceed the maximum activity specified in the certificate of registration issued by the NRC or an agreement state. Total Activity not to exceed 117 millicuries.
B. Americium – 241	Sealed Sources registered either with NRC under 10CFR32.210 or with an agreement state and incorporated in a compatible gauging device as specified in Item 9 of the license	No Single Source to exceed the maximum activity specified in the certificate of registration issued by the NRC or an agreement state. Total Activity not to exceed 572 millicuries.

### 6. Purpose:

A and B: To be used in Troxler Electronics Labs Model 3400 series surface moisture/density gauges, portable gauging devices used for measuring physical properties of materials.

### 7. Responsible Individuals:

The Radiation Safety officer for this License is John K. Cook. Mr. Cook completed Troxler Nuclear Gauge Safety Training, USDOT Hazmat Training and Troxler RSO training for portable gauges in April 2012. Gauges will be stored at the following locations: 2110 Silas Deane Highway, Rocky Hill CT. 06067 and 424 Chapel Street, New Haven, CT 06511 and at 903 E. 104<sup>th</sup> St., 1<sup>st</sup> Floor Storage Room, Kansas City, MO 64131. In addition to Mr. Cook, the firm has two site RSO's in Connecticut and Missouri, Christopher Hylas and Christopher Flageolle respectively. Each of them has received Troxler RSO training as well.

### 8. Training for Individuals:

All Gauge operators have received Troxler Nuclear Gauge Safety Training and Hazmat certification from the DOT. RSO's have completed Troxler's Radiation Safety Officer Training.

9. Facilities and Equipment – See #10.

10. Safety Program:

A. Licensed Material will only be used by, or under the supervision and in the physical presence of individuals who have received the training described above.

B. Sealed sources shall be tested for leakage and/or contamination at intervals not to exceed the intervals specified in the certificate of registration issued by NRC under 10CFR 32.210 or by an agreement state.

C. In the absence of a certificate from a transferor indicating that a leak test has been made within the intervals specified in the certificate of registration issued by NRC under 10 CFR 32.210 or by an agreement state prior to the transfer, a sealed source or detector cell received from another person shall not be put into use until tested.

D. 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.

E. The leak test shall be capable of detecting the presence of 0.005 micro curie of radioactive material on the test sample. If the test reveals the presence of 0.005 micro curie or more of removable contamination, a report shall be filed with the USNRC 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.

F. 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 samples must be performed by persons specifically licensed by the Commission or an agreement state to perform such services.

G. Records of leak test results shall be kept in units of micro curies and shall be maintained for 3 years.

H. Sealed sources or source rods containing licensed material shall not be opened or sources removed or detached from source rods or gauges by the licensee, except as specifically authorized.

I. Except for maintaining labeling as required by 10 CFR Part 20 or 71, the licensee shall obtain authorization from the 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 by the Commission pursuant to 10 CFR 32.210 or by an agreement state.

J. The licensee shall conduct a physical inventory every 6 months, or at other intervals approved by the USNRC, to account for all sources and/or devices received and possessed under the license.

K. 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. A minimum of two independent physical controls that form tangible barriers to secure portable gauges from unauthorized removal whenever the portable gauge is not under the control and constant surveillance of the licensee is required.

L. 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 Commission or an agreement state to perform such services.

M. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representation, 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.

11. Waste Management: See 10 A – G above.

# HAZMAT Certification

as required by U.S. DOT and IATA

*This certifies that*

John K. Cook

*has been trained and tested in accordance with the U.S. Department of Transportation and International Air Transport Association (IATA) hazardous material requirements for general awareness/familiarization, function-specific, safety, and security awareness training as related to the transportation of nuclear gauges. A description of the training course materials is available from Troxler Electronic Laboratories, Inc.*

*Training Date*  
April 25, 2012

*Expiration Date*  
3 years from date of class

*Instructor*  
Patrick Schroeder



**Troxler Electronic Laboratories, Inc.**  
PO Box 12057 • 3008 Cornwallis Road • Research Triangle Park, NC 27709  
Phone: (919) 549-8661 • Fax: (919) 549-0761 • [www.troxlerlabs.com](http://www.troxlerlabs.com)

## *Hazmat Employer Certification*

*Company:*

*Company Official:* \_\_\_\_\_ *Date:* \_\_\_\_\_

*Enrollment ID:* 43027175

# *Certificate of Completion*

This certifies that

*John K. Cook*

has successfully completed the  
Nuclear Core Safety Training Class  
conducted by the training department of

*Troxler Electronic Laboratories, Inc.*

*D. Patrick Schreoder*

Patrick Schreoder  
Instructor

April 25, 2012  
Date

*William F. Troxler, Jr.*  
President



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Pass-Certified to operate Nuclear  
Gauges  
43027175

This is to acknowledge the receipt of your letter/application dated

1/23/14, and to inform you that the initial processing which includes an administrative review has been performed.

☒ Renew (12-28232-01)  
There were no administrative omissions. Your application was assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information.

☐ Please provide to this office within 30 days of your receipt of this card

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A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned **Mail Control Number** 583136.  
When calling to inquire about this action, please refer to this control number.  
You may call us on (610) 337-5398, or 337-5260.