

Dennis Lawyer, Health Physicist
US NRC Region 1
2100 Renaissance Blvd., Suite 100
King of Prussia, PA 19406

030-15231

License #06-06284 – Response to questions on the renewal application for license

Attached please find response to questions from email dated January 12, 2015,

1. Your application should have been signed by a management representative rather than the Radiation Safety Officer. Please submit a letter signed by a management representative indicating that management has reviewed the application and concurs in the statements and representations contained therein. Note also that a management representative should sign all future correspondence that requests a change in your license.

Attached please find correspondence indicating Michael D. Scolforo is the management representative. Copies of the Letter sent to Sattar Lodhi on June 13, 2013 at NRC.

2. Section 8.10.3 of NUREG-1556, Volume 1, "Consolidated Guidance About Materials Licenses Program-Specific Guidance About Portable Gauge Licenses," applicants are to provide either of the following: a statement that: "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, 'Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Portable Gauge Licenses,' dated November 2001, in the event of an incident" or a description of an alternative procedure for determining source integrity after an incident involving the gauge. It did not appear your application had either of these elements. Please submit the above statement or alternate procedure.

In the attached Radiation Safety Program section VI "Radiation Exposure Monitoring" please find the statement regarding the radiation survey meter.

3. Section 8.10.4 of NUREG-1556, Volume 1 states to provide a statement that: "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," or a description of the frequency and procedures for ensuring that no gauge has been lost, stolen, or misplaced.

In the attached Radiation Safety Program section VII "Maintenance and Leak Testing" Please find the statement regarding physical inventories conducted at intervals not to exceed 6 months.

4. Section 8.10.8 of NUREG- 1556, Volume 1 states to provide a statement that "Leak tests will be performed at intervals approved by NRC or an Agreement State as 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 to 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

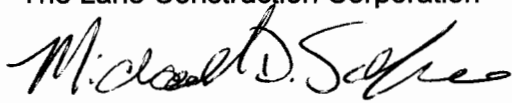
supplier's instructions" or provide the information in Appendix J supporting a request to perform leak testing and sample analysis. Your procedure included that leak tests will be performed at intervals approved by the NRC or an Agreement State but did not appear to state that leak tests will be performed by an organization authorized by NRC or an Agreement State to provide leak testing services to 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. Please provide this statement.

In the attached Radiation Safety Program section VII "Maintenance and Leak Testing" indicating leak testing will be done by an authorized organization.

Please contact me if you have any further questions or additional information.

Very truly yours.

The Lane Construction Corporation

A handwritten signature in black ink, appearing to read "Michael D. Scolforo". The signature is fluid and cursive, with the first name being the most prominent.

Michael D. Scolforo
Corporate Radiation Safety Officer

Cc: file

LANE

L.D. Tonini, Mgr. Plt. Sfty. Pgm.
Corp. Radiation Safety Officer
90 Fieldstone Court
Cheshire, Ct 06410
Tel 203-235-3351
Fax 203-439-2998
Cell 413-329-1700

June 13, 2013

Sattar Lodhi, Senior Health Physicist DNMS
US NRC, Region 1
2100 Renaissance Blvd., Suite 100
King of Prussia, Pa 19406

Re: License #06-06284 – Change of Corporate Radiation Safety Officer

Due to a pending retirement of the current RSO, effective July 1, 2013, Michael D. Scolforo will assume the position of Corporate Radiation Safety Officer for the above license (Condition #12) held by The Lane Construction Corporation, 90 Fieldstone Court, Cheshire, Ct 06410.

Attached, please find copies of the following:

Letters of Signatory Authority
Current License
Operating and Emergency Procedures (updated/effective 7-1-13)
Training certificates for Michael D. Scolforo

Mr. Scolforo may be reached at the corporate offices above or by cell phone (413-259-7164).

Very truly yours,

The Lane Construction Corporation



Lawrence D. Tonini
Manager Plant Safety Programs/Corp. RSO

Cc: J.S. Cruickshank, Exec. VP, General Counsel
S.M Hubbard, Corp. Safety Director
M.D. Scolforo, Safety Supervisor



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PENNSYLVANIA 19406-2713

RECEIVED JUL 17 2013

July 02, 2013

Docket No. 03015231
Control No. 581173

License No. 06-06284-02

Lawrence D. Tonini
Manager Plant Safety Programs
The Lane Construction Corporation
90 Fieldstone Court
Cheshire, CT 06410

SUBJECT: THE LANE CONSTRUCTION CORPORATION, LICENSE AMENDMENT,
CONTROL NO. 581173

Dear Mr. Tonini:

This refers to your license amendment request dated June 13, 2013. Enclosed with this letter is the amended license.

The amended license includes significant changes to the conditions of the license. Please review the enclosed document carefully and be sure that you understand and fully implement all the conditions incorporated into the amended license. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region I Office, Licensing Assistance Team, (610) 337-5239, so that we can provide appropriate corrections and answers.

An environmental assessment for this action is not required, since this action is categorically excluded under 10 CFR 51.22(c)(14).

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 <http://www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html>. 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.

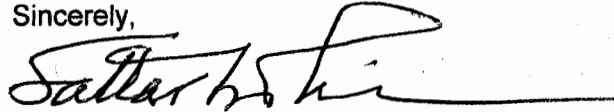
Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Med, Ind, & Academic Uses**; then **Licensee Toolkits**, see our **toolkit index page**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 8:00 a.m. to 5:30 p.m. EST, Monday through Friday (except Federal holidays).

L. Tonini

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Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Sattar Lodhi", written in a cursive style.

Sattar Lodhi, Ph.D.
Senior Health Physicist
Materials Security and Industrial Branch
Division of Nuclear Materials Safety

Enclosure:
Amendment No. 22

cc:
Michael D. Scolforo, Radiation Safety Officer

LANE

Jay S. Cruickshank, Esq.
Executive Vice President
& General Counsel

June 13, 2013

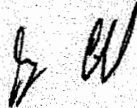
Mr. Michael D. Scolforo
243 King Street
Suite 239
Northampton, MA 01060

Dear Michael:

As you are aware, you are assuming responsibility as our Corporate Radiation Safety Officer for purposes of our revised Radioactive Material License submitted to the U.S. Nuclear Regulatory Commission. In that capacity there are various duties and responsibilities that are required in order for us to be in compliance with the applicable rules and regulations involving the use of our materials density testing equipment. With that in mind, we are providing you with the authority to take whatever actions are necessary to maintain compliance with our licensing terms and conditions.

As always, you may contact me at any time with any questions or concerns you have regarding the program.

Very truly yours,



Jay S. Cruickshank

cc: Cheshire
SMH
LDT

The Lane Construction Corporation

90 Fieldstone Court Cheshire, CT 06410-1212 USA T 203.439.2900 F 203.439.2998
An Equal Opportunity Employer M/F/D/V

LaneConstruct.com

LANE

RADIATION SAFETY PROGRAM OPERATING AND EMERGENCY INSTRUCTIONS FOR NUCLEAR DENSITY GAUGES

I. CORPORATE INFORMATION:

The Lane Construction Corporation
90 Fieldstone Court
Cheshire, CT 06410
Corporate Radiation Safety Officer: Michael D. Scolforo

II. NUCLEAR DENSITY GAUGES:

We utilize Troxler Electronic Laboratories, Inc., Series 3400 portable moisture/density gauges, Series 4640 asphalt density gauges, and Series 3200 asphalt content gauges, and Instrotek 3500 portable moisture density gauge. Radioactive materials involved are Cesium 137, and Americium 241:BE.

III. STORAGE:

Permanent storage locations have been designated as:

90 Fieldstone Court, Cheshire, Ct 06410	(Corporate Headquarters)
1067 Odlin Rd., Bangor, Me 04401	(dba / The Lane Const. Corp.)
11801 Harmonson Rd., Justin, Tx 76247	(dba / The Lane Const. Corp.)
5601 Courtney Ave., Alexandria, Va 22304	(dba / Virginia Paving Co., Div.)
1003 Old Ox Rd., Sterling, Va 20167	(dba / Virginia Paving Co., Div.)
10,000 Ox Road, Lorton, Va 22079	(dba / Virginia Paving Co., Div.)
1012 Garrisonville Rd., Stafford, Va 22555	(dba / Virginia Paving Co., Div.)
3431 Trant Ave., Norfolk, Va 23602	(dba / Virginia Paving Co., Div.)

and at temporary jobsites anywhere in the United States. Additionally, in those states having their own jurisdictional authority over the use of this material, storage locations are as identified in license applications for those states.

Nuclear density gauges will be kept in a locked box or cabinet, within a locked building or otherwise secure container such as a storage trailer. There must be a minimum of two locks in combination as security. "Radioactive" and "Employee Notice" posters must be posted.

IV. TRANSPORTATION:

The gauge will be transported in the Troxler transportation case at all times. The equipment must be secured in a locked box permanently affixed to the vehicle in the case of a pickup truck or other truck types, or within the locked trunk of a passenger car, secured against movement. At all times during transport, the operator must have a properly completed Bill of Lading for each gauge. Additionally, a copy of the DOT Emergency Response Information sheet (page 6 of this document) must be in the vehicle.

V. UTILIZATION PROCEDURES:

1. When the gauge is in the field, the authorized user must maintain control of the gauge at all times. The gauge must never be left unattended.
2. Gauges will only be used by or under the supervision and in the physical presence of, individuals who have satisfactorily completed the Troxler Electronics Laboratories, Inc., or similar training and who possess valid certificates of training.
3. All users must be thoroughly familiar with these operating and emergency instructions.
4. When not making measurements, the gauge should be placed in the transportation case and returned to its permanent storage area as soon as possible. The gauge is to be used for its intended purpose only. By doing so, any radiation exposure will be as low as reasonably achievable (ALARA). The Lane Construction Corporation is committed to assuring ALARA exposures and will implement all recommendations made by the gauge manufacturer to achieve this purpose.
5. When using the gauge, unauthorized persons must be kept at least 15 feet from the gauge.
6. Never wear another person's person monitoring device.
7. Do not touch the unshielded source rod with your fingers, hands or any part of your body or do not place hands, fingers, feet or other parts in the radiation field from an unshielded source.
8. Unless absolutely necessary, do not look under the gauge when the source rod is being lowered in the ground. If you must look under the gauge to align the source rod with the hole, follow the manufacturer's procedures to minimize radiation exposure.

VI. RADIATION EXPOSURE MONITORING:

1. When using the gauge, the authorized user must wear a radiation film badge. This badge (TLD Dosimeter) will measure X-ray, Gamma and Beta radiation exposure to the user. Film badges will be obtained from and evaluated after exposure by Landauer, Inc., Glenwood, Illinois. Any exposure in excess of 5,000 mREM per year for the whole body, 50,000 mREM per year for the extremities and skin, or 15,000 mREM per year for the eyes, will be cause to remove the exposed individual from gauge use, to be evaluated by medical personnel, and to be reported to the governing agency. Exposure to a declared pregnant woman must not exceed 500 mREM for the nine-month period of pregnancy. Occupational exposure to workers under the age of 18 is restricted to 1/10 of the adult annual dose. These limits apply only to occupational exposure. Badges will be exchanged and evaluated quarterly during use. When not using the equipment, the badge must be stored in a radiation-free area.
2. Badges must also be worn during gauge maintenance and during leak testing.
3. 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' NUREG-1556 Vol 1 Rev 1 , Consolidated Guidance about Material Licenses: Program-Specific Guidance about Portable Gauge Licenses, In the event of an incident involving the gauge for determining the source integrity.

VII. MAINTENANCE AND LEAK TESTING:

1. Maintenance procedures will follow the manufacturer's recommendations. No maintenance will be performed which involves removal of the source from the gauge.
2. Troxler Electronics Laboratories, Inc. will perform all service work beyond normal routine maintenance provided for in the manufacturer's instructions.
3. Film badges must be worn during cleaning, leak testing, and other maintenance of the gauge.
4. Leak tests will be performed at intervals approved by NRC or an Agreement State as 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 to 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. Troxler gauges will be performed every twelve months, unless the gauge has not been used in the preceding twelve months, using the Troxler Model 3880 Leak Test Kit. Troxler gauges may not be used if in storage in excess of twelve months and until such time a leak-test has been performed and results have been received. All other gauges will be leak tested on a six month cycle.

5. 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. Ensuring that no gauge has been lost or stolen, or misplaced.

VIII. UTILIZATION LOG:

Utilization logs will be maintained at each location in possession of a gauge. The log must be capable of identifying the location of each gauge at all times and in whose possession it is. Logs must show:

1. Model and Serial Number
2. Date and Time Removed and Returned
3. User
4. Destination
5. Signature of User

IX. AUDITS

The corporate RSO, or his designee, who has oversight responsibilities for both state and federal radiation programs, will conduct a management audit every 12 months.

X. EMERGENCY PROCEDURES:

1. In the event of physical damage to the gauge or the source fails to return to the shielded position (e.g. as a result of being damaged, source becomes stuck below the surface) or any other emergency or unusual situation arises (e.g. the gauge is struck by a moving vehicle, is dropped in a vehicle in an accident) the following steps must be taken:

- a. Locate the source.
- b. An area of 15 feet in radius from the gauge must be cordoned off and entry of unauthorized persons prevented.
- c. Keep gauge users and other potentially contaminated individuals at the scene until emergency assistance arrives.
- d. If a vehicle is involved, it must not be moved until the extent of contamination has been determined.
- e. A visual inspection of the gauge must be made to determine whether any damage to the source housing or shield has been sustained.
- f. Make necessary notifications to local authorities as well as the Department as required. (Even if not required to do so. You may report ANY incident to the Department by calling the Tennessee Emergency Management Agency's Operations Center at 1-800-262-3300. Which is staffed 24 hours a day. Department notification is required when gauges containing licensed material are lost or stolen, when gauges are damaged or involved in incidents that result in doses in excess of SRPAR 0400-20-05-.50, .55, .56 and .60 and when it becomes apparent that attempts to recover a source stuck below the surface will be unsuccessful.
- g. Reports to the Department must be made within the reporting timeframes and specified in SRPAR.
- h. Reporting doses requirements are found in SRPAR 0400-20-05-.140, .141 and .143
- i. As soon as possible, after the situation has been established, notify Michael D. Scolforo (RSO) at (cell (413-259-7164). Instructions will be given regarding procedures and further notification. If the situation involves an emergency during transportation, emergency assistance and information will be provided by Troxler at (919) 549-9539.

2. In the event that the gauge is lost or stolen, M.D. Scolforo must be notified immediately.

XI. SHIPPING:

Shipping of gauges must follow all applicable regulations. Federal Express or Yellow Freight Lines will be used. Due to the infrequency of gauge shipment by outside personnel, the person performing the shipment should contact Michael D. Scolforo for information regarding proper transportation methods, or, in the event that the gauge is being shipped back to Troxler, personnel at Troxler Electronics Laboratories should be contacted concerning proper documentation.

XII. TRANSFERS:

Inventory cards must reflect all moves and will be verified every six months. Prior to transfer, Michael D. Scolforo must be notified. If being transferred to an Agreement State, the appropriate agencies will be notified in order to obtain a materials license, or reciprocity, depending on the need.

XIII. DISPOSAL:

Disposal will be handled solely by Troxler Electronics Laboratories, Inc., the Humboldt Mfg. Corp., or Instrotek, Inc.

XIV. RESPONSIBILITY:

Each user is responsible for the proper use of the gauges and must follow the above procedures at all times.

The Corporate Radiation Safety Officer (RSO), Michael D. Scolforo, is responsible for assuring overall compliance with these procedures and for maintaining current knowledge of all applicable rules and regulations.

**TROXLER NUCLEAR GAUGE EMERGENCY RESPONSE INFORMATION
REQUIRED FOR TRANSPORTATION
(Reference DOT P5800.5 ERG93, and 49CFR)**

1. PROPER SHIPPING NAME:

- ❖ RADIOACTIVE MATERIAL, SPECIAL FORM, NON-FISSILE/FISSILE EXCEPTED, 7 UN3332

POTENTIAL HAZARDS

2. HEALTH HAZARDS

- ❖ Radiation presents minimal risk to lives of persons during transportation accidents.
- ❖ Undamaged packages are safe; damaged packages or materials released from packages can cause external radiation hazards. Contamination is not suspected.
- ❖ Packages (cartons, boxes, drums, articles, etc.) identified as "Type A" by marking on packages or by shipping papers contain non-life endangering amounts. Radioactive sources may be released if packaged are damaged in moderately-severe accidents.
- ❖ Packages (large and small, usually metal) identified by "Type B" by marking on packages or by shipping papers contain potentially life endangering amounts. Because of design, evaluation, and testing of packages, life-endangering releases are not expected in accidents except those of utmost severity.
- ❖ Commonly available instruments can detect most of these materials.
- ❖ Water from cargo fire control is not expected to cause pollution.

3. FIRE OR EXPLOSION

- ❖ Packaging can be consumed without content loss from sealed source capsule.
- ❖ Radioactive source capsules and Type B packages are designed to withstand temperatures of 1475 °F (800 °C).

EMERGENCY ACTION

4. IMMEDIATE PRECAUTIONS

- ❖ Priority response actions may be performed before taking radiation measurements.
- ❖ Priorities are life saving, control of fire and other hazards, and first aid.
- ❖ Isolate hazard area and deny entry. Notify Radiation authority of accident conditions.
- ❖ Delay final cleanup until instruction or advice of Radiation Authority.
- ❖ Positive pressure self-contained breathing apparatus (SCBA) and structural firefighter's protection clothing will provide adequate protection against internal radiation exposure, but not external radiation exposure.
- ❖ **Call Troxler Electronic Laboratories, Inc. at (919) 549-9539 for Emergency Assistance.**

5. FIRE

- ❖ Do not move damaged packages; move undamaged packages out of fire zone.
- ❖ **Small Fires:** Dry chemical, CO₂ water spray or regular foam.
- ❖ **Large Fires:** Water spray, fog (flooding amounts).

6. SPILL OR LEAK

- ❖ **Do not touch damaged packages or spilled material.**
- ❖ Slightly damaged or damp outer surfaces seldom indicate failure of inner container.
- ❖ If source is identified as being out of package, stay away and await advice from Radiation Authority.

7. FIRST AID

- ❖ Use first aid treatment according to the nature of the injury.
- ❖ Persons exposed to special form sources are not likely to be contaminated with radioactive material.
- ❖ Report all incidents to Michael D. Scolforo at (Cell (413) 259-7164)