

Q-2

United States Nuclear Regulatory Commission Form 313

NRC FORM 313 (1-2012) 10 CFR 30, 32, 33, 34, 35, 36, 39, and 40	U.S. NUCLEAR REGULATORY COMMISSION	APPROVED BY OMB: NO. 3160-0120	EXPIRES: (03/31/2012)
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 Infocollecta.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	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
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 475 ALLENDALE ROAD KING OF PRUSSIA, PA 19406-1415	IF YOU ARE LOCATED IN: 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) <input checked="" type="checkbox"/> A. NEW LICENSE <input type="checkbox"/> B. AMENDMENT TO LICENSE NUMBER _____ <input type="checkbox"/> C. RENEWAL OF LICENSE NUMBER _____	2. NAME AND MAILING ADDRESS OF APPLICANT (include ZIP code) EMPIRE PAVING 30 BERNHARD RD NORTH HAVEN, CT 06473
3. ADDRESS WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED 130 SCOTT RD WATERBURY CT 06705 "TEMPORARY JOB SITES ANYWHERE IN THE U.S. WHERE NRC MAINTAINS JURISDICTION"	4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION BRIAN FESTA BRIAN@EMPIREPAVING.COM TELEPHONE NUMBER 203-752-0002

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 AMOUNT ENCLOSED \$

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 Brian J. Festa General Manager	SIGNATURE <i>Brian J. Festa</i>	DATE 4/30/15
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FOR NRC USE ONLY					
TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
			\$		
APPROVED BY				DATE	

NRC FORM 313 (1-2012)

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APPENDIX B

**SUGGESTED FORMAT FOR PROVIDING INFORMATION REQUESTED
IN ITEMS 5 THROUGH 11 OF
U.S. NUCLEAR REGULATORY COMMISSION FORM 313**

Items 5 and 6: Materials To Be Possessed and Proposed Uses

Yes	No	Radionuclide	Manufacturer or Distributor Model No.	Quantity	Use as Listed on SSD Registration Certificate	Specify Other Uses Not Listed on SSD Registration Certificate
X		Cesium-137	Gauge manufacturer or distributor and model number of the gauge: <u>QSA GLOBAL INC.</u> X.1218, X.8, XN 30/0 TROXLER: 3400 SERIES HUMBOLDT: 5001 SERIES	Specify activity per source and number of gauges requested. <u>2</u> <u>.3 GBq</u>	Yes <input checked="" type="checkbox"/> Specific description of the gauge use: <u>TO MEASURE DENSITY</u>	<input checked="" type="checkbox"/> Not applicable <input type="checkbox"/> Uses are: (Submit safety analysis supporting safe use)
X		Americium-241	Gauge manufacturer or distributor and model number of the gauge: <u>QSA GLOBAL INC.</u> Ax1, X.1, X.1/2, X.2084 TROXLER: 3400 SERIES HUMBOLDT: 5001 SERIES	Specify activity per source and number of gauges requested. <u>2</u> <u>1.48 GBq</u>	Yes <input type="checkbox"/> Specific description of the gauge use: <u>TO MEASURE MOISTURE</u>	<input checked="" type="checkbox"/> Not applicable <input type="checkbox"/> Uses are: (Submit safety analysis supporting safe use.)

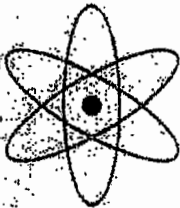
Yes	No	Radionuclide	Manufacturer or Distributor Model No.	Quantity	Use as Listed on SSD Registration Certificate	Specify Other Uses Not Listed on SSD Registration Certificate
	X	Californium-252	Gauge manufacturer or distributor and model number of the gauge: _____	Specify activity per source and number of gauges requested. _____ _____	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.)
	X	Radium-226	Gauge manufacturer or distributor and model number of the gauge and number of gauges of each model that is being requested: _____	Specify activity per source and number of gauges requested. _____ _____	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.)
	X	Other Isotope (Specify):	Gauge manufacturer or distributor and model number of the gauge: _____	Specify activity per source and number of gauges requested. _____ _____	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.)
		Is financial assurance required? If yes, submit evidence of financial assurance				

**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: <u>Chris Monroe</u></p>	<p>Provide documentation of the training of the proposed RSO.</p>	<p>Submit applicable documentation.</p>	
<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 courses described in the "Criteria" part of the section titled "Training for Individuals Working in or Frequenting Restricted Areas" in NUREG-1556, Vol. 1, Rev. 2.</p>	<p align="center"><input checked="" type="checkbox"/></p> <p>TRAINING CERT. ATTACHED</p>	<p align="center"><input type="checkbox"/></p>
<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, Emergency, and Security Procedures" below.</p>	<p>Need Not Be Submitted with Application</p>	
<p>10.1 RADIATION SAFETY PROGRAM—AUDIT PROGRAM</p>	<p>The applicant is <i>not</i> required to, and should not, submit its audit program to the NRC for review during the licensing phase. The audit program will be reviewed during NRC inspections.</p>	<p>Need Not Be Submitted with Application</p>	
<p>10.2 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 titled "Radiation Safety Program—Instruments" in NUREG-1556, Vol. 1, Rev. 2, "Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Portable Gauge Licenses," in the event of an incident.</p>	<p align="center"><input checked="" type="checkbox"/></p>	<p align="center"><input type="checkbox"/></p>

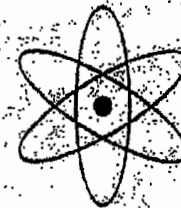
Q/C RESOURCE

TRAINING COURSE CERTIFICATION



This is to certify that

CHRISTOPHER MONROE



has completed annual refresher training in the proper transport of nuclear density gauges in accordance with CFR Title 49, Sections 170 - 189, as required by the U.S. Nuclear Regulatory Commission and the Agreement States.

[Signature]

Employee Signature

008-74-0759

Employee Social Sec. #

EMPIRE PAVING

Employer Name

My signature certifies that I have received training regarding the safe operation and transport of nuclear density gauges and have read, reviewed, and understand the emergency procedures instituted by my employer.

2/2/15

Date of Training

CHICOPEE, MA

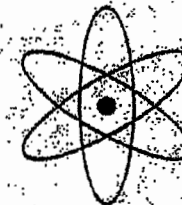
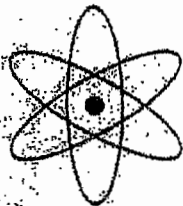
Location of Training Materials

[Signature]

Instructor Signature

Q/C RESOURCE

TRAINING COURSE CERTIFICATION



This is to certify that

Matthew Misura

has completed annual refresher training in the proper transport of nuclear density gauges in accordance with CFR Title 49, Sections 170 - 189, as required by the U.S. Nuclear Regulatory Commission and the Agreement States.

Matthew Misura

Employee Signature

Employee Social Sec. #

Empire Learning

Employer Name

My signature certifies that I have received training regarding the safe operation and transport of nuclear density gauges and have read, reviewed, and understand the emergency procedures instituted by my employer.

3/2/2015

Date of Training

Location of Training Materials

Dee A. Bell

Instructor Signature

Item No. and Title	Suggested Response	Yes	Alternative Procedures Attached
10.3 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"/>
10.4 RADIATION SAFETY PROGRAM—OCCUPATIONAL DOSIMETRY	<p>We will maintain, for inspection by the NRC, documentation demonstrating that unmonitored individuals are not likely to receive, in one year, a radiation dose in excess of 10 percent of the allowable limits in 10 CFR Part 20.</p> <p style="text-align: center;">OR</p> <p>We will provide dosimetry processed and evaluated by an NVLAP-approved processor that is exchanged at a frequency recommended by the processor.</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<input type="checkbox"/>
10.5 RADIATION SAFETY PROGRAM—PUBLIC DOSE	The applicant is <i>not</i> required to submit a response to the public dose section in a license application. This matter will be examined during an inspection.	Need Not Be Submitted with Application	
10.6 RADIATION SAFETY PROGRAM—OPERATING, EMERGENCY, AND SECURITY PROCEDURES	<p>We will implement and maintain the operating and emergency procedures in Appendix G to NUREG-1556, Vol. 1, Rev. 2, "Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Portable Gauge Licenses," and will develop, implement and maintain security procedures using information in Appendix G. Copies of these procedures will be provided to all gauge users and at each job site.</p> <p style="text-align: center;">OR</p> <p>Operating, emergency, and security procedures will be developed, implemented, and maintained and consistent with the criteria in the section titled "Radiation Safety Program—Operating, Emergency, and Security Procedures" in NUREG-1556, Vol. 1, Rev. 2, "Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Portable Gauge Licenses."</p>	<p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p>	<input type="checkbox"/>

Item No. and Title	Suggested Response	Yes	Alternative Procedures Attached
10.7 RADIATION SAFETY PROGRAM—LEAK TEST	Leak tests will be performed at intervals approved by the NRC or an Agreement State and specified in the SSD registration certificate. Leak tests will be performed by an organization licensed by the NRC or an Agreement State to provide leak testing services to other licensees or using a leak test kit supplied by an organization licensed by the 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 I supporting a request to perform the collection of leak test samples and sample analysis is attached.
10.8 RADIATION SAFETY PROGRAM—MAINTENANCE	<p><i>Routine Cleaning and Lubrication</i> We will implement and maintain procedures for routine maintenance of our gauges according to each manufacturer's recommendations and instructions.</p> <p><i>Nonroutine Maintenance</i> We will send the gauge to the manufacturer or other person authorized by the NRC or an Agreement State to perform nonroutine maintenance or repair operations that require detaching the source or source rod from the gauge.</p>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> The information listed in Appendix F supporting a request to perform nonroutine maintenance in house is attached.
10.9 RADIATION SAFETY PROGRAM—TRANSPORTATION	The applicant is <i>not</i> required to submit its response about transportation during the licensing process. This issue will be reviewed during inspection.		Need Not Be Submitted with Application
11. WASTE MANAGEMENT—GAUGE DISPOSAL AND TRANSFER	The applicant is <i>not</i> required to submit a response about waste management during the licensing process. However, the licensee should establish and include waste disposal procedures in its radiation safety program.		Need Not Be Submitted with Application