

(03-2014)  
10 CFR 30, 32, 33, 34  
35, 36, 37, 39, and 40



# 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 FOIA, Privacy, and Information Collections Branch (T-5 F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by internet e-mail to [Infocollects.Resource@nrc.gov](mailto: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.

**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.**

**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

**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  
2100 RENAISSANCE BOULEVARD, SUITE 100  
KING OF PRUSSIA, PA 19406-2713

Br. 2

03036929

**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

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

RECEIVED  
MATERIALS LICENSING BRANCH

**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)

A. NEW LICENSE

B. AMENDMENT TO LICENSE NUMBER

C. RENEWAL OF LICENSE NUMBER 44-31043-01

2. NAME AND MAILING ADDRESS OF APPLICANT (Include ZIP code)

BEAR DOG Enterprises  
189 Birchard PARK  
Middlebury Vt 05753

3. ADDRESS WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED

1050 Rte 7 South  
Middlebury, Vt  
05753

4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

Robert N. Bush

BUSINESS TELEPHONE NUMBER	BUSINESS CELLULAR TELEPHONE NUMBER
<u>862-371-7187</u>	<u>802-371-7187</u>
BUSINESS EMAIL ADDRESS	
<u>beardogcc@gmail.com</u>	

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. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS.

7. RADIATION SAFETY PROGRAM.

6. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED.

7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING EXPERIENCE.

9. FACILITIES AND EQUIPMENT.

11. WASTE MANAGEMENT.

12. LICENSE FEES (Fees required only for new applications, with few exceptions\*) (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, 37, 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	SIGNATURE	DATE
<u>ROBERT N. BUSH (RSO)</u>	<u>Robert N Bush</u>	<u>5/27/15</u>

FOR NRC USE ONLY					
TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
			\$		
APPROVED BY				DATE	

5.

First Source

- a. Cesium 137
- b. Sealed Sources (Troxler Dwg. No. A-102112)
- c. 18 millicuries total

Second Source

- a. Americium 241
- b. Sealed Sources (Troxler Dwg. Nos A-102451 or C-106580)
- c. 88 millicuries total

6.

Troxler model 3430 portable gauging device is used for measuring physical properties of materials.

7.

Robert Bush (RSO)

As the safety director for all regulatory compliance issue for Bear Dog Enterprises. I received initial training on June 22, 2005 for nuclear gauge safety, from the manufacture Troxler Electronics Laboratory. The training took place in Research Triangle Park N.C. At this class I received gauge operation and daily step by step user guidelines for operating, storage, transportation, and returning the gauge to storage. After receiving RSO training on June 23, 2005 as the radiation safety officer I assumed the total responsibility for the possession, use, and maintenance of the sources and gauge under Bear Dogs Enterprises licensing. In addition to those responsibilities I was charged with maintaining each responsible person's training and record retention. On July 12, 2014, I took a voluntary recertification course from American Portable Nuclear Gauge Association (APNGA) on the use and maintenance of our portable gauge. In addition to these certifications I have eighteen months training with the Mine Safety Health Administration (MSHA) as a mine inspector for the department of labor. I received the training at the federal academy July 18<sup>th</sup> 2000 in Beaver W.V.

8.

As the RSO for Bear Dog Enterprises I Robert Bush certify Raymond Danyow as the responsible person trained by the American Portable Nuclear Gauge Association (APNGA). In addition to the basic training Mr. Danyow received an Introduction to state regulations along with an insight into company safety program to include work site preparation of equipment and storage of the nuclear gauge. All the training with the gauge was hands on with review of all USDOT/Hazmat regulatory requirements.

9.

The Troxler 3430 gauge is stored in a locked storage room. The room is marked by a caution radioactive materials sign. The gauge is in a locked lead lined box that is also bolted to the floor. The gauge handle is locked in the safe store position. The gauge is inside a case that is locked. The case is locked in the lead lined box. The storage door is locked

10.

As the RSO for Bear Dog Enterprises I (Robert Bush), I have designed a Radiation Safety Program to assume the duties and responsibilities that include but are not limited to the following:

a.

Ensuring that all terms and conditions of the license are met and that the information contained in the license is current;

b.

Ensuring that the nuclear gauge has been leak tested in the required timely manner and manner and that the leak test is performed in the manner prescribed by the nuclear gauge manufacture;

c.

Assuring the safe usage of radioactive materials;

d.

Ensuring that only authorized personnel shall use the nuclear gauge and that all users wear personnel monitoring equipment when appropriate;

e.

Assuring that all personnel using a nuclear gauge have had proper training and are certified;

f.

Maintaining the records as required by the license and regulations (that is, personnel exposure records, leak test records, training certificates for all users, and an inventory);

g.

Assuring compliance with all regulations concerning radioactive materials;

h.

Ensuring that the equipment is properly secured against unauthorized removal at all times when not in use;

i.

Serving as a point of contact and assisting and notifying the proper authorities in case of an emergency;

j.

Assuring that all aspects of the Radiation Safety Manual are being adhered to.

11.

The disposal will be by transfer of the Troxler gauge to Troxler Electronic laboratories, Inc., an authorized licensee of nuclear material.

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

5/27/15, and to inform you that the initial processing which includes an administrative review has been performed.

Renew (44-31043-01) 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** 587112.  
When calling to inquire about this action, please refer to this control number.  
You may call us on (610) 337-5398, or 337-5260.

NRC FORM 532 (RI)  
(6-96)

Sincerely,  
Licensing Assistance Team Leader