UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
2443 WARRENVILLE RD. SUITE 210
LISLE, IL 60532-4352

MAR 03 2016

Mike Morse
Mag Pellet
64 E 100 N
Reynolds, IN 47980

Dear Mr. Morse:

We have reviewed your application for a radioactive materials license dated December 8, 2015. We determined that additional information was needed to complete our review. We contacted you on February 2, 2016, February 5, 2016, February 10, 2016, February 22, 2016, and February 24, 2016 to discuss the additional information required to complete our review. However, we have not received the required information. On February 26, 2016, we, Patricia Pelke, Chief of Materials Licensing Branch, Vered Shaffer and Frank Tran, material licensing reviewers, discussed the current status of our review with you via telephone and informed you that we have voided your application to allow you the time required to prepare the requested information.

As we discussed, you may continue to operate your devices in accordance with authorization for general devices permitted under Title 10 Code of Federal Regulations (10 CFR) Part 31, Section 5. You shall assure that tests for general devices be conducted in accordance with the instructions provided by the labels. Please follow 10 CFR 31.5(c)(13) to register your general devices. Please reference the following link for additional information regarding generaly licensed devices: http://www.nrc.gov/materials/miau/general-use.html

If you resubmit your application, please review NUREG-1556, Volume 4 (http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/v4/sr1556v4.pdf) and provide a signed and dated NRC Form 313, the application, and include the additional information provided on February 4, 2016 that was in response to the additional information request dated February 2, 2016. In addition, you need to provide the following information:

- The current inventory list of the fixed gauges. For all of the gauges, include the radionuclide, activity, device manufacturer, device model number, source manufacturer, and source model number.

- For each authorized user and the Radiation Safety Officer (RSO), please provide a training completion certificate signed by the vendor or manufacturer's representative. If the training was not provided by the vendor or manufacturer, please provide the radiation safety training course outline, the regulatory requirement training outline, the practical hands on training, the course instructor's name, and his/her qualifications. (See NUREG-1556, Vol 4., Appendix G for additional information)

- Provide the evaluation demonstrating that unmonitored individuals are not likely to receive in one year, a radiation dose in excess of 10% of the allowable limits in 10 CFR Part 20 or commit to provide dosimetry that meets the Criteria in the section entitled "Radiation Safety Program – Occupational Dosimetry," in NUREG-1556, Vol. 4. (See NUREG-1556, Vol 4., Appendix J for additional information)

- For non-routine maintenance operations (e.g. installation, initial radiation survey, gauge relocation and alignment, and removal of a gauge from service) please provide the following information as recommended in NUREG 1556, Vol. 4, Appendix N:

    - A description of the types of work, maintenance, cleaning, or repair activities to be performed that involve installation, initial radiation survey, gauge relocation and alignment, and/or removal of a gauge from service

    - Please inform who will perform non-routine maintenance activities, and include their training and experience consistent with non-routine operation as described on page N-2, and include any applicable non-routine maintenance training certificates provided by the vendor or manufacturer. If a certificate is not available, please provide the description of the non-routine maintenance training, including: the training outline, date of the training, name of the instructor(s), and the qualifications of the instructor(s).

    - Submit procedures for non-routine operations. These procedures should ensure the following:
        - doses to personnel and members of the public are within regulatory limits and ALARA (e.g., use of shielded containers or shielding);
        - the source is secured against unauthorized removal or access or under constant surveillance;
        - appropriate labels and signs are used;
        - manufacturer's or distributor*s instructions and recommendations are followed;
        - any non-manufacturer/non-distributor supplied replacement components or parts, or the use of materials (e.g., lubricants) other than those specified or recommended by the manufacturer or distributor are evaluated to ensure that they do not degrade the engineering safety analysis performed and accepted as part of the device registration; and
        - before being returned to routine use, the gauge is tested to verify that it functions as designed and source integrity is not compromised.

- Confirm that individuals performing non-routine operations on gauges will wear both whole body and extremity monitoring devices or perform a prospective evaluation demonstrating that unmonitored individuals performing non-routine operations are not likely to receive, in one year, a radiation dose in excess of 10% of the allowable limits.

- Verify possession of at least one survey instrument that meets the criteria in "Radiation Safety Program - Instruments in NUREG-1556, Vol. 4, 'Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Fixed Gauges Licenses,' dated October 1998."

- Describe steps to be taken to ensure that radiation levels in areas where non-routine operations will take place do not exceed 10 CFR 20.1301 limits. For example, applicants can do the following:
  - commit to performing surveys with a survey instrument (as described above);
  - specify where and when surveys will be conducted during non-routine operations;
  - commit to maintaining, for 3 years from the date of the survey, records of the survey (e.g., who performed the survey, date of the survey, instrument used, measured radiation levels correlated to location of those measurements), as required by 10 CFR 20.2103.

Attach a current, signed, dated cover letter to your resubmitted application, and state that it is additional information to Control Number 589539.

The NRC requires that the applicant/licensee provide information that is complete and accurate in all material respects, as stated in 10 CFR 30.9(a). If you choose to resubmit, please make a careful review of your information prior submittal.

If you have any questions or require clarification on any of the information stated above, you may contact us at (630) 829-9887.

In accordance with 10 Code of Federal Regulations 2.390 of the NRC's "Rules of Practice," a copy of this letter 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,

Vered A. Shaffer
Health Physicist
Materials Licensing Branch