

**From:** [Lawyer, Dennis](#)  
**To:** [rjuliani@smeinc.com](mailto:rjuliani@smeinc.com)  
**Subject:** S&ME, Inc., Request for Additional Information Concerning Application for a License Amendment, Control 593020, No. 32-31395-01, Docket No. 03038194.  
**Date:** Thursday, March 09, 2017 12:46:00 PM

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Dear Ronald Juliani,

This is in reference to your letter dated February 1, 2017, requesting for amendment to Nuclear Regulatory Commission License No. 32-31395-01, Docket No. 03038194. This review also included a review of the application dated November 30, 2009, as it appears that the document was not incorporated into your license as you intended as the training was not listed in Condition 11 into your license. In order to continue our review, we need the following additional information:

1. Your letter was signed by Wes Lowder, P.E., Vice President. Currently we have Randall Neuhaus, President as the management contact. Please state who should be the management contact and provide telephone number, facsimile number, and email address.
2. The format of NRC licensing has changed. Please state the amount of material that you would like to be licensed for:
  - a. Cs-137 in Troxler Models 3400 series and models 4640 and 4640B;
  - b. Cs-137 in InstroTek Model 3500 and Humboldt Model 5001;
  - c. Cs-137 in CPN Model MC series;
  - d. Am-241:Be in InstroTek Model 3500, Troxler Model 3400 series, and Humboldt Model 5001;
  - e. Am-241:Be in CPN Model MC series;
  - f. Cd-109 in Niton XL series which contains sealed source Amersham Model CUCP.1 which has a maximum of 15 mCi activity; and
  - g. Cd-109 in Niton XL series which contains other sealed sources with a maximum of 50 mCi activity.
  - h. When stating the maximum activity requested, please consider that this is the maximum amount of material that can be possessed where NRC maintains jurisdiction at any one time and not all of the gauges you possess in multiple Agreement States.
3. The November 30, 2009, application provided some information about your training program but some attributes appear not to have been included. [NUREG-1556, Volume 1, Rev. 2](#), "Consolidated Guidance About Material Licenses, Program-Specific Guidance About Portable Gauge Licenses," provides guidance on portable gauge licensing. Training is described in section 8.8 and Appendix C. You may provide the following statement, "Before using licensed materials, authorized users will have successfully completed one of the training courses described under "Criteria" in the section titled "Training for individuals Working in or Frequenting Restricted Areas" in NUREG-1556, Volume 1, Rev. 2, "Consolidated Guidance About Material Licenses, Program-Specific Guidance About Portable Gauge Licenses."

**OR** provide the following information:

- a. Your application did not appear to state the time the training takes. Acceptable course content in Appendix C states 1.5 to 2 hours for safety and regulatory instruction and 1.5 hours to 2 hours of practical training. Please state the time that training takes for authorized users for safety and regulatory instruction and for practical training.
  - b. The following attributes of training do not appear to be provided in your training: Radiation vs contamination, internal vs external dose, Inventory, record keeping like the utilization log, that the licensee can be inspected by regulatory authority, personnel must give complete and accurate information, the employee protection, deliberate misconduct, gauge theory, field training and performing dry runs on the gauges. Please state that these subjects are included.
4. Step 5.5 of your radiation safety procedure states that each branch must have a plan to obtain a survey instrument in case of an emergency. Section 8.10.2 of NUREG-1556, Volume 1, Rev. 2, says to provide the following statement: ““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—Radiation Monitoring Instruments” in NUREG–1556, Volume 1, Revision 2, “Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Portable Gauge Licenses,” in the event of an incident” Please make this statement.
5. You provided your operating and emergency procedures. It does not appear that you require these to be taken to each jobsite. Section 8.10.6 of NUREG-1556, Volume 1, Rev 2., says to provide the following statement: “Copies of these procedures will be provided to all gauge users and will be available at each jobsite.” Please make this statement.
6. Your security procedures are not clear for the security requirement when it is not under the control and constant surveillance of a gauge user. Please state that when licensed material is not under the control and constant surveillance of a gauge user, it will be secured with a minimum of two independent physical controls that form tangible barriers to secure gauges from unauthorized removal. This requirement will be met at all times when in storage, including storage at permanent storage locations, temporary job sites, and when in the vehicle.
7. Step 4.5 of your radiation safety procedure states that you will perform leak tests every six months, however it does not describe who performs the analysis. Section 8.10.7 of NUREG-1556, Volume 1, Rev 2, says to state: “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 by using a leak test sample collection kit supplied by an organization licensed by the NRC or an Agreement State to provide leak test kits and/or sample analysis services to other licensees and according to the kit supplier’s instructions. Records of leak test results will be maintained.” There other alternate statements which can be used listed in section 8.10.7, please make a statement about leak testing.

We will continue our review upon receipt of this information. Please reply to my attention at the Region 1 Office (Address below) and refer to Mail Control No. 593020. If you have

technical questions regarding this letter, please call me at (610) 337-5366.

Your reply must be an originally signed and dated letter. The letter may be scanned and submitted as a pdf document attached to an email; or it may be transmitted by facsimile to (610) 337-5269; or it may be sent by regular mail. If we do not receive a reply from you within 30 calendar days from the date of this e-mail, we will assume that you do not wish to pursue your application OR amendment request.

Please respond by e-mail to acknowledge that you have received the e-mail request for additional information.

Region 1 Office Mailing Address: Licensing Assistance Team, US Nuclear Regulatory Commission Region I, 2100 Renaissance Boulevard, Suite 100, King of Prussia, PA 19406-2713.

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