NRC FORM 699 (03-2013)

U.S. NUCLEAR REGULATORY COMMISSION

CONVERSATION RECORD

DATE OF SIGNATURE: 1/23/2018

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU	DATE OF CONTACT	TYPE OF CONVERSATION
Cory Hardy	1/23/2018	☐ E-MAIL ☑ TELEPHONE ☐ INCOMING ☐ OUTGOING
E-MAIL ADDRESS: chardy@ocgcompanies.com	TELEPHONE NUMBER: (248) 451-1620	

ORGANIZATION	DOCKET NUMBER(S)
OCG Companies	030-39090
LICENSE NUMBER(S)	CONTROL NUMBER(S)
21-35468-01	602159

SUBJECT

New NRC Materials License Request - Additional Information Required

SUMMARY

This refers to your request for a new NRC license submitted in the application dated January 8, 2018, and the phone conversation between Cory Hardy and Laura Cender on January 23, 2018.

During our review it was noted that several parts of your application require additional clarification. Please see page two of this record for specific details on what additional information is required.

In accordance with l0 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure 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.

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ACTION REQUIRED (IF ANY)

Please submit your response by February 16, 2018, and reference it to my attention as "additional information to control number 602159" to facilitate proper handling in our office. Your response must be currently signed and dated. If you have any questions or require clarification regarding any information discussed please do not hesitate to contact me at 630-829-9712.

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NAME OF PERSON DOCUMENTING CONVERSATION

Laura B. Cender

SIGNATURE

Laura B. Cender 1/23/2018

CONVERSATION RECORD (continued)

SUMMARY: (Continued from page 1)

1. Please indicate in Item 3 of your application (NRC Form 313) if you intend to use licensed material at temporary job sites, in addition to at the facility listed.

2. In your application you request the use of "a minimum of three (3) portable nuclear density gauges." The way your request is currently written your license would allow you to possess up to three portable nuclear density gauges. Please indicate if a larger number is requested.

3. To be named Radiation Safety Officer a formal Delegation of Authority agreement must be signed by yourself and someone in your senior management chain. A sample delegation of authority is attached. You may find a full description of the responsibilities of a Radiation Safety Officer in Appendix D of NUREG 1556 Vol 1. Rev. 2.

4. Please provide a record of your training to show that you are fully qualified to be a Radiation Safety Officer. To be appointed as a radiation safety officer you must have completed an RSO training course and also be able to show that you have hands on experience using portable gauges. The training certificate provided is from an online training course and additional information must be submitted to verify your hands on experience.

You can meet this requirement by providing one of the following:

a. An additional training certificate that verifies you have received hands on training.
b. A statement confirming that you have received hands on training signed by an RSO listed on an NRC or Agreement State license.
c. A copy of an NRC or Agreement State License that currently, or on a previous amendment, has listed you as the radiation Safety Officer.

Additional information regarding training requirement for Radiation Safety Officers and Authorized Users can be found in the attached copy of Appendix C of NUREG 1556 Vol. 1 Rev. 2. The relevant sections have been highlighted.

5. Please complete the Items 8, and 10.2-10.8 of the attached application section from NUREG 1556 Vol 1. Rev. 2 Appendix B. Although responses to several of these items were provided in Section 1D of your application the responses generally did not meet the level of specificity required for a licensing commitment.

When completing this portion of your application please pay attention to "AND" and "OR" statements. Additionally, please note that Item 10.8 has two sections requiring a response.

Cender, Laura

From: Cender, Laura
Sent: Tuesday, January 23, 2018 2:08 PM
To: 'chardy@ocgcompanies.com'
Subject: New NRC Materials License Application - Additional Information Requested
Attachments: Conversation Record to OCG Companies -signed.pdf; NUREG 1556 Vol.1 Rev. 2 Appendix C.pdf; 1556 Vol. 1, Rev. 2 Appendix B Form.pdf; Model Delegation of Authority to Radiation Safety Officer.docx

Hello Cory,

Thank you for taking time out of your afternoon to discuss your new license request. A record of our conversation, as well as additional application and reference information is attached.

Additionally, please let me know your availability to support a pre-licensing site visit. Please note that a Pre-Licensing Site Visit is not an inspection, but is an opportunity for the NRC to evaluate the applicant's intentions regarding the use of radioactive materials. I will be unavailable from February 26 through March 2nd, but will otherwise be generally available over the next several weeks.

Please feel free to contact me at 630-829-9712 or via email if you have any questions.

Thank you,
Laura

Laura Cender
U.S. Nuclear Regulatory Commission
Materials Licensing Branch
E-mail: Laura.Cender@nrc.gov
Phone: (630) 829-9712
Fax: (630) 829-9712

APPENDIX B

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

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
7. **INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING AND EXPERIENCE— RADIATION SAFETY OFFICER** Name:_____	Documentation demonstrating the proposed radiation safety officer's training and experience (e.g., certificate of completion of the RSO's course and/or the authorized user's course).	Submit applicable documentation.	
8. **TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS**	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, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Portable Gauge Licenses."	☐	☐
9. **FACILITIES AND EQUIPMENT**	Provide a facility diagram for each permanent portable gauge storage location. Include on the diagram the use of adjacent areas (including above and below), and information relevant to public dose and security as discussed in Sections 8.10.5, "Public Dose," and 8.10.6, "Operating, Emergency, and Security Procedures," respectively, in NUREG–1556, Vol. 1, Rev. 2, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Portable Gauge Licenses"	Submit applicable documentation.	

Item No. and Title	Suggested Response	Yes	Alternative Procedures Attached
10.1 RADIATION SAFETY PROGRAM—AUDIT PROGRAM	The applicant should not submit its audit program to the NRC for review during the licensing phase. The audit program will be reviewed during NRC inspections.	Need Not Be Submitted with Application	
10.2 RADIATION SAFETY PROGRAM—RADIATION MONITORING INSTRUMENTS	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, Vol. 1, Rev. 2, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Portable Gauge Licenses," in the event of an incident.	☐	☐
10.3 RADIATION SAFETY PROGRAM—MATERIAL RECEIPT AND ACCOUNTABILITY	Physical inventories will be conducted every 6 months or at other intervals approved by the NRC to account for all sealed sources and devices received and possessed under the license. AND We will develop, implement, and maintain procedures for ensuring accountability of licensed materials at all times.	☐	☐
10.4 RADIATION SAFETY PROGRAM—OCCUPATIONAL DOSE	We will maintain, for inspection by the NRC, documentation demonstrating that unmonitored individuals are not likely to receive a radiation dose in excess of the limits in 10 CFR 20.1502(a). OR We will provide and require the use of individual monitoring devices (dosimetry). All personnel dosimeters that require processing to determine the radiation dose will be processed and evaluated by a NVLAP-approved processor.	☐ ☐	☐

Item No. and Title	Suggested Response	Yes	Alternative Procedures Attached
10.5 RADIATION SAFETY PROGRAM— PUBLIC DOSE	The applicant is *not* required to submit a response to the public dose section in a license application. This matter will be examined during NRC inspections.	Need Not Be Submitted with Application	
10.6 RADIATION SAFETY PROGRAM— OPERATING, EMERGENCY, AND SECURITY PROCEDURES	We will implement and maintain the operating, emergency, and security procedures in Appendix G to NUREG–1556, Vol. 1, Rev. 2, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Portable Gauge Licenses." Copies of these procedures will be provided to all gauge users and will be available at each jobsite. OR Operating, emergency, and security procedures will be developed, implemented, and maintained and will meet the criteria in section 8.10.6, "Radiation Safety Program—Operating, Emergency, and Security Procedures," NUREG–1556, Vol. 1, Rev. 2, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Portable Gauge Licenses." Copies of these procedures will be provided to all gauge users and will be available at each jobsite.	☐ ☐	☐ For this item, checking this box indicates that alternative procedures will be provided as part of the application and that these procedures will be provided to all gauge users and will be available at each jobsite.

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 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. OR We will implement the model leak test program published in Appendix I of NUREG–1556, Volume 1, Revision 2, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Portable Gauge Licenses." Records of leak tests will be maintained.	☐ ☐	☐ For this item, checking this box indicates that alternative equipment and/or procedures will be provided as part of the application and that records of leak tests will be maintained.

Item No. and Title	Suggested Response	Yes	Alternative Procedures Attached
10.8 RADIATION SAFETY PROGRAM—MAINTENANCE	*Routine Cleaning and Lubrication* We will implement and maintain procedures for routine maintenance of our gauges according to each manufacturer's written recommendations and instructions.	☐	☐
	Nonroutine Maintenance The gauge manufacturer or other person licensed by the NRC or an Agreement State will perform nonroutine maintenance or repair operations that require detaching the source or source rod from the gauge.	☐	☐ The information listed in Appendix F of this NUREG supporting a request to perform nonroutine maintenance in house is attached.
10.9 RADIATION SAFETY PROGRAM—TRANSPORTATION	The applicant is *not* required to submit a response about transportation during the licensing process. The NRC will review this issue during inspection.	Need Not Be Submitted with Application	
11. WASTE MANAGEMENT—GAUGE DISPOSAL AND TRANSFER	The applicant is *not* required to submit a response about waste management during the licensing process; however, the licensee should establish and include gauge transfer and waste disposal procedures in its radiation safety program.	Need Not Be Submitted with Application	

Model Delegation of Authority to Radiation Safety Officer

Memo To: Radiation Safety Officer

From: Management Representative

Subject: Delegation of Authority

You, _____, have been appointed radiation safety officer and are responsible for ensuring the safe use of radiation. You are responsible for managing the Radiation Protection Program; identifying radiation protection problems; initiating, recommending, or providing corrective actions; verifying implementation of corrective actions; stopping unsafe activities; and ensuring compliance with regulations. You are hereby delegated the authority necessary to meet those responsibilities, including prohibiting the use of byproduct material by employees who do not meet the necessary requirements and shutting down operations, when justified, to maintain radiation safety. You are required to notify management if staff does not cooperate and does not address radiation safety issues. In addition, you are free to raise issues with the U.S. Nuclear Regulatory Commission at any time. It is estimated that you will spend _____ hours per week conducting radiation protection activities.

_____ _____

Signature of Management Representative (Name) Date

Manager Title

I accept the above responsibilities,

_____ _____

Signature of Radiation Safety Officer Date

cc: Affected department heads

APPENDIX C

CRITERIA FOR ACCEPTABLE TRAINING COURSES FOR PORTABLE GAUGE USERS

Course Content

Acceptable course content for training courses for portable gauge users includes the following:

- 1.5 to 2 hours of radiation safety and regulatory requirements, emphasizing practical subjects important to safe use of the gauge; radiation versus contamination; internal versus external exposure; concepts of time, distance, and shielding to minimize exposure; control and surveillance of gauges; location of the sealed source within the portable gauge; inventory; recordkeeping; incidents; licensing and inspection by the regulatory agency; need for complete and accurate information; employee protection; and deliberate misconduct

- 1.5 to 2 hours of practical training to include portable gauge theory, operating procedures, emergency procedures, security, maintenance, and transportation procedures; and field training emphasizing radiation safety, including dry runs of setting up and making measurements with the gauge, controlling and maintaining surveillance over the portable gauge, performing routine cleaning and lubrication, packaging and transporting the gauge, storing the gauge, and following emergency and security procedures.

Course Examination

Prospective gauge users participating in training courses should achieve at least a 70-percent score on a 25- to 50-question, closed-book, written test. The test should include the following:

- an emphasis on radiation safety of portable gauge storage, security of gauges while on job sites, use, sealed source location, maintenance, and transportation, rather than the theory and art of making portable gauge measurements

- review of correct answers to missed questions with the prospective gauge user following the scoring of the test

Instructor Training and Experience

Instructors should have, at a minimum, the following:

- successful completion of a portable gauge user course

- successful completion of an 8-hour radiation safety course or RSO training course

- documentation of 8 hours of hands-on experience with portable gauges

Note: Maintain records of training for 3 years after the last use of licensed material by the authorized user.

Online Courses

Online training for portable gauge users is acceptable. The online training topics should follow the suggested Course Content on the previous page. Any online training should be supplemented by the practical training also described under Course Content. The applicant/licensee should demonstrate how it will meet the training described under Course Content and may consider providing a copy of the curricula covered in the course.

Online training courses should also include an examination described under Course Examination.