



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION IV
1600 E. LAMAR BLVD
ARLINGTON, TX 76011-4511

May 24, 2018

Mr. Michael McIntire
Radiation Safety Officer and Owner
Southwest X-Ray Corporation
P.O. Box 130
Glenrock, WY 82637

SUBJECT: LICENSE AMENDMENT AND LICENSE RENEWAL – REQUEST FOR
ADDITIONAL INFORMATION
LICENSE: 49-29277-01 DOCKET: 030-37579 CONTROL: 601879

Dear Mr. McIntire:

Thank you for taking the time out of your busy schedule to talk with me on Tuesday, May 22, 2018. It was a pleasure.

Please find enclosed Amendment Number 2 to NRC License Number 49-29277-01 administratively amending your license by extending your expiration date in Item 4 of your license to December 31, 2018. An environmental assessment for this licensing action is not required since this action is not required since this action is categorically excluded under 10 CFR 51.22(c)(10)(v) and (14)(vi). You should review this license carefully and be sure that you understand all conditions. You can contact me at 817-200-1132 if you have any questions about this license.

Note that your license and license conditions have been updated in a new format. Please review your license and notify this office if you have any discrepancies or questions.

The Nuclear Regulatory Commission (NRC) has attempted to initiate the technical review of your license application dated December 3, 2017, submitted by you. Before we can take further action, the following deficiencies were identified in the application.

1. Please resubmit your renewal application utilizing NUREG-1556, Volume 2, Revision 1, *Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Industrial Radiography Licenses*, Appendices B and C, as guidance (<https://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/v2/>). Please see the enclosed document.

**The enclosure transmitted
herewith contains Official Use
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M. McIntire

-2-

Please note that on page C-13 at the end of the checklist, there is a note which states “under 10 CFR Part 37, security plans are not to be submitted to the NRC for review and approval.”

2. Please note on your letterhead, the phone number is specified as 307-234-0786; however, Item 4 of NRC Form 313 dated December 3, 2017, specifies the business telephone number as 307-234-0768.

Please explain this discrepancy.

3. Per our telephone conversation on Tuesday, May 22, 2018, you indicated your intent to terminate your license in July 2018.

Please find enclosed NRC Form 314, *Certificate of Disposition of Materials*.

Please complete this form if you plan to terminate your license.

The NRC’s Safety Culture Policy Statement became effective in June 2011. While a policy statement is not a regulation, it sets forth the agency’s expectations for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC’s safety culture Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html>. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

NRC expects licensees to conduct their programs with meticulous attention to detail and a high standard of compliance. Because of the serious consequences to employees and the public that can result from failure to comply with NRC requirements, you must conduct your radiation safety program according to the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate by NRC regulations 10 CFR Part 19, “Notices, Instructions and Reports to Workers: Inspection and Investigations,” 10 CFR Part 20, “Standards for Protection Against Radiation,” and other applicable regulations.
2. Notify NRC in writing of any change in mailing address.
3. By 10 CFR 30.36(d) and/or license condition, notify NRC, promptly, in writing, and request termination of the license:
 - a. When you decide to terminate all activities involving materials authorized under the license whether at the entire site or any separate building or outdoor area;
 - b. If you decide not to acquire or possess and use authorized material; or

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M. McIntire

-3-

- c. When no principal activities under the license have been conducted for a period of 24 months.
4. Request and obtain a license amendment before you:
 - a. Change Radiation Safety Officers;
 - b. Order byproduct material in excess of the amount, radionuclide or form authorized on the license;
 - c. Add or change the areas or address(es) of use identified in the license application or on the license; or
 - d. Change the name or ownership of your organization.
5. Submit a complete renewal application or termination request at least 30 days before the expiration date on your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of radioactive material after your license expires is a violation of NRC regulations.

In addition, please note that NRC Form 313 requires the applicant, by signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of the applicant's knowledge. The signatory for the application should be the licensee or certifying official rather than a consultant. Since the NRC also accepts a letter requesting amendment of an NRC license, the signatory for such a request should also be the licensee or certifying official rather than a consultant.

NRC will periodically inspect your radiation safety program. Failure to conduct your program according to NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC may result in enforcement action against you. This could include issuance of a notice of violation; imposition of a civil penalty; or an order suspending, modifying, or revoking your license as specified in the NRC Enforcement Policy. The NRC Enforcement Policy is available on the following internet address: <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>.

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M. McIntire

-4-

An electronic version of the NRC's regulations is available on the NRC Web site at www.nrc.gov. Additional information regarding use of radioactive materials may be obtained on the NRC Web site at <http://www.nrc.gov/materials/miau/mat-toolkits.html>. This site also provides the link to the toolbox for updated information on the revised regulations for naturally-occurring and accelerator-produced radioactive materials (NARM).

NRC's Regulatory Issue Summary (RIS) 2005-31 provides criteria to identify security-related sensitive information and guidance for handling and marking of such documents. This ensures that potentially sensitive information is not made publicly available through the NRC's Agencywide Documents Access and Management System (ADAMS). The RIS may be located on the NRC Web site at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2005/>. Pursuant to NRC's RIS 2005-31, the enclosed materials license will not be made publicly available.

To continue review of your renewal application or to terminate your license, we request that you submit your response to this letter by July 16, 2018. Please refer to the license, docket and control numbers specified above.

If you have questions or require clarification on any of the information stated above, we encourage you to contact me at 817-200-1132 or the mailing address listed above.

Sincerely,

/RA/

Jacqueline D. Cook, Senior Health Physicist
Materials Licensing and Inspection Branch

Enclosures: 1) Amendment Number 2
2) NUREG-1556, Vol. 2, Rev. 1
3) NRC Form 314