



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**

REGION III  
2443 WARRENVILLE RD. SUITE 210  
LISLE, IL 60532-4352

**NOV 21 2018**

Kenny Stone  
Radiation Safety Officer  
Koehler Engineering and Land Surveying, Inc.  
194 Coker Lane  
Cape Girardeau, MO 63701

Dear Mr. Stone:

Enclosed is Amendment No. 7 renewing your NRC Material License No. 24-32042-01 in accordance with your request. Please note that your license format has been updated based on our new licensing process. In addition, based on the licensing policy we have modified the following License Conditions: Condition No. 10 regarding jurisdiction of temporary job sites, Condition No. 12 regarding the authorized gauge user training requirement, Condition No. 13 regarding the sealed source leak tests requirement, and Condition No. 15 regarding the physical inventory requirement. We updated Condition No. 17 removing the requirement to implement two physical security barriers for portable gauges because this requirement is already stated in the regulations under 10 CFR 30.34(i). We removed following License Conditions: Condition No. 13 in the previous amendment regarding the decommissioning financial assurance requirements because it is not applicable to your license, Condition No. 20 in the previous amendment regarding the usage of gauges with sealed sources extending more than 3 feet below the surface because it is not applicable to the devices authorized on your license, and Condition No. 21 in the previous amendment regarding the transportation requirement because this requirement is already stated in the regulations in 10 CFR part 71.

In an email dated September 28, 2018, you discussed the leak test requirements of your devices, and expressed that you would like to be approved for a leak test frequency outside the frequency specified on the Sealed Source and Device Registry (SSDR). Your license is authorized for the use of portable gauges containing radioactive material encased in a sealed capsule which was registered in the SSDR as defined in 10 CFR 32.2. The SSDR for your devices listed the leak test frequency for the radioactive sealed sources. In accordance with the licensing guidance, you will need to formally request a specific exemption to the regulation in accordance with 10 CFR 30.11(a). Additional guidance on this process can be found in section 4.13, "Processing of Exemptions for Material Licenses", of NUREG-1556 Volume 20, "Consolidated Guidance About Materials Licenses: Guidance About Administrative Licensing Procedures." The exemption request must be accompanied by: a description of the licensee-proposed exemption and the reason why it is needed; a description of specific compensatory safety measures that will provide a level of protection equivalent to the regulation for which the licensee-proposed exemption is being requested; and a discussion of reasonable alternatives that have been considered by the licensee. The NRC will review the exemption request case by case.

Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region III office at (630) 829-9887 so that we can provide appropriate corrections and answers.

You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you. This could include issuance of a notice of violation, or imposition of a civil penalty, or an order suspending, modifying or revoking your license as specified in the General Statement of Policy and Procedure for NRC Enforcement Actions. Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken when dealing with licensees who do not achieve the necessary meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and 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.

In accordance with Title 10 of the Code of Federal Regulations (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>.

Sincerely,



Erin J. Kennedy  
Health Physicist  
Materials Licensing Branch

License No. 24-32042-01  
Docket No. 030-34590

Enclosure: Amendment No. 7