

To: Licensing Assistance Team
Division of Nuclear Materials Safety
U.S. Nuclear Regulatory Commission Region 1
2100 Renaissance Boulevard, Suite 100
King of Prussia, PA 19406
Phone: 1-800-432-1156
FAX: 610-337-5269

Dr. 2

Licensee: Kuraray America Inc.
B-226
8480 DuPont Road
Washington, WV 26181

Subject: Application for **1 (one)** change of current NRC license No. 47-35267-01 *103038866*
Pending your approval, please make the following revision on our NRC Specific license.

REC RG 1 04 17 19 PH0139

Change 1.

- Swanagan D. Ray, the present RSO, will be leaving the company and is stepping down as the RSO. Remove Swanagan D. Ray as RSO from License, item 12, and add David S. Johnson as the new RSO.
- See David S. Johnson's training and experience listed in Attachments 3 and 4.
- David S. Johnson contact information:
Kuraray America, Inc.
8480 DuPont Road
B-226
Washington, WV 26181
Atten. David S. Johnson
Phone #, 304-210-9196
Email: David.Johnson@kuraray.com

Attachment #1 NRC Form 313
Attachment #2 NRC license 47-35267-01 copy
Attachment #3 Certificate of Completion for RSO Training from RSO Services, Inc.

Sincerely,

Swanagan Ray

Swanagan D. Ray – RSO
Kuraray America Inc.
8480 DuPont Road
Washington WV 26181
Phone: (304) 210-9179
E-Mail: Swanagan.Ray@kuraray.com

Approved by: Chris Shockey: Area Manager I

Chris Shockey

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DIVISION OF NUCLEAR MATERIALS SAFETY



APPLICATION FOR MATERIALS LICENSE

APPROVED BY OMB: NO. 3150-0120 **EXPIRES: 06/30/2019**
Estimated burden per response to comply with this mandatory collection request: 4.3 hours. Submittal of the application is necessary to determine that the applicant is qualified and that adequate procedures exist to protect the public health and safety. Send comments regarding burden estimate to the Information Services Branch (T-2 F43), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by e-mail to Infocollects.Resource@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0120), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

INSTRUCTIONS: SEE THE CURRENT VOLUMES OF THE NUREG-1556 TECHNICAL REPORT SERIES ("CONSOLIDATED GUIDANCE ABOUT MATERIALS LICENSES") FOR DETAILED INSTRUCTIONS FOR COMPLETING THIS FORM: <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/>. SEND TWO COPIES OF THE COMPLETED APPLICATION TO THE NRC OFFICE SPECIFIED BELOW.

APPLICATION FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH:
MATERIALS SAFETY LICENSING BRANCH
DIVISION OF MATERIAL SAFETY, STATE, TRIBAL AND RULEMAKING PROGRAMS
OFFICE OF NUCLEAR MATERIALS SAFETY AND SAFEGUARDS
U.S. NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555-0001

ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS:

IF YOU ARE LOCATED IN:
ALABAMA, CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, FLORIDA, GEORGIA, KENTUCKY, MAINE, MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, NORTH CAROLINA, PENNSYLVANIA, PUERTO RICO, RHODE ISLAND, SOUTH CAROLINA, TENNESSEE, VERMONT, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA.

SEND APPLICATIONS TO:
LICENSING ASSISTANCE TEAM
DIVISION OF NUCLEAR MATERIALS SAFETY
U.S. NUCLEAR REGULATORY COMMISSION, REGION I
2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PA 19406-2713

IF YOU ARE LOCATED IN:
ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, SEND APPLICATIONS TO:
MATERIALS LICENSING BRANCH
U.S. NUCLEAR REGULATORY COMMISSION, REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, IL 60532-4352

IF YOU ARE LOCATED IN:
ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, HAWAII, IDAHO, KANSAS, LOUISIANA, MISSISSIPPI, MONTANA, NEBRASKA, NEVADA, NEW MEXICO, NORTH DAKOTA, OKLAHOMA, OREGON, PACIFIC TRUST TERRITORIES, SOUTH DAKOTA, TEXAS, UTAH, WASHINGTON, OR WYOMING,

SEND APPLICATIONS TO:
NUCLEAR MATERIALS LICENSING BRANCH
U.S. NUCLEAR REGULATORY COMMISSION, REGION IV
1600 E. LAMAR BOULEVARD
ARLINGTON, TX 76011-4511

PERSONS LOCATED IN AGREEMENT STATES SEND APPLICATIONS TO THE U.S. NUCLEAR REGULATORY COMMISSION ONLY IF THEY WISH TO POSSESS AND USE LICENSED MATERIAL IN STATES SUBJECT TO U.S. NUCLEAR REGULATORY COMMISSION JURISDICTIONS.

1. THIS IS AN APPLICATION FOR (Check appropriate item)

A. NEW LICENSE

B. AMENDMENT TO LICENSE NUMBER 47-35267-01

C. RENEWAL OF LICENSE NUMBER _____

2. NAME AND MAILING ADDRESS OF APPLICANT (Include zip code)

Kuraray America, Inc.
Atten; David Scott Johnson
8480 Dupont Road
Washington, WV 26181

3. ADDRESS WHERE LICENSED MATERIALS WILL BE USED OR POSSESSED

Kuraray America, Inc.
8480 Dupont Road
B-226
Washington, WV 26181

4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

David Scott Johnson

BUSINESS TELEPHONE NUMBER (304) 210-9196	BUSINESS CELLULAR TELEPHONE NUMBER
BUSINESS E-MAIL ADDRESS David.Johnson@kuraray.com	

SUBMIT ITEMS 5 THROUGH 11 ON 8-1/2 X 11" PAPER. THE TYPE AND SCOPE OF INFORMATION TO BE PROVIDED IS DESCRIBED IN THE LICENSE APPLICATION GUIDE.

5. RADIOACTIVE MATERIAL

a. Element and mass number; b. chemical and/or physical form; and c. maximum amount which will be possessed at any one time.

6. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS.

10. RADIATION SAFETY PROGRAM.

7. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED.

7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING AND EXPERIENCE.

9. FACILITIES AND EQUIPMENT.

11. WASTE MANAGEMENT.

12. LICENSE FEES (Fees required only for new applications, with few exceptions*)
(See 10 CFR 170 and Section 170.31)
*Amendments/Renewals that increase the scope of the existing license to a new or higher fee category will require a fee.

FEE CATEGORY	AMOUNT ENCLOSED \$

PER THE DEBT COLLECTION IMPROVEMENT ACT OF 1996 (PUBLIC LAW 104-134), YOU ARE REQUIRED TO PROVIDE YOUR TAXPAYER IDENTIFICATION NUMBER. PROVIDE THIS INFORMATION BY COMPLETING NRC FORM 531: <https://www.nrc.gov/reading-rm/doc-collections/forms/nrc531info.html>.

13. CERTIFICATION. (Must be completed by applicant) THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BINDING UPON THE APPLICANT.

THE APPLICANT AND ANY OFFICIAL EXECUTING THIS CERTIFICATION ON BEHALF OF THE APPLICANT, NAMED IN ITEM 2, CERTIFY THAT THIS APPLICATION IS PREPARED IN CONFORMITY WITH TITLE 10, CODE OF FEDERAL REGULATIONS, PARTS 30, 32, 33, 34, 35, 36, 37, 39, AND 40, AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF.
WARNING: 18 U.S.C. SECTION 1001 ACT OF JUNE 25, 1948 62 STAT. 749 MAKES IT A CRIMINAL OFFENSE TO MAKE A WILLFULLY FALSE STATEMENT OR REPRESENTATION TO ANY DEPARTMENT OR AGENCY OF THE UNITED STATES AS TO ANY MATTER WITHIN ITS JURISDICTION.

CERTIFYING OFFICER - TYPED/PRINTED NAME AND TITLE

Chris Shockey
Area Manager 1

SIGNATURE

Chris Shockey

DATE

April 12, 2019

MATERIALS LICENSE

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 36, 37, 39, 40, 70 and 71, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

<p style="text-align: center;">Licensee</p> <p>1. Kuraray America, Inc.</p> <p>2. 8480 DuPont Road Washington, WV 26181</p>	<p>In accordance with letter dated April 05, 2017.</p> <p>3. License number: 47-35267-01 is amended in its entirety to read as follows:</p>	<p>4. Expiration Date: June 30, 2024</p> <p>5. Docket No.: 030-38866 Reference No.:</p>
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6. Byproduct, source, and/or special nuclear material	7. Chemical and/or physical form	8. Maximum amount that licensee may possess at any one time under this license	9. Authorized use
A. Cesium-137	A. Sealed Sources (Amersham Corporation, Model CDC.700/CDC.711m; Minnesota Mining and Manufacturing Co., Model 4F6S; Monsanto Research Company, Model 24148)	A. 540 millicuries total and no single source to exceed the maximum activity specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission or an Agreement State	A. For use in Ohmart Corporation, Model SH-FX Series fixed gauging devices for controlling industrial processes.

CONDITIONS

- 10. Licensed material may be used or stored only at the licensee's facilities located at B-226, 8480 DuPont Road, Washington, West Virginia.
- 11. Licensed material shall only be used by, or under the supervision of, individuals who have received the training described in the application dated May 27, 2014, and have been designated in writing by the Radiation Safety Officer. The licensee shall maintain records of individuals designated as users for 3 years following the last use of licensed material by the individual.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number

47-35267-01

Docket or Reference Number

030-38866

Amendment No. 1

12. The Radiation Safety Officer (RSO) for this license is ~~Swanagan-D. Ray~~ *David S. Johnson*
13. A. Sealed sources and detector cells shall be tested for leakage and/or contamination at intervals not to exceed the intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or by an Agreement State. In the absence of a registration certificate, sealed sources shall be tested for leakage and/or contamination at intervals not to exceed 6 months, or at such other intervals as specified.
- B. In the absence of a certificate from a transferor indicating that a leak test has been made within the intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or by an Agreement State, prior to the transfer, a sealed source received from another person shall not be put into use until tested and the test results received.
- C. Sealed sources need not be tested if they are in storage and are not being used. However, when they are removed from storage for use or transferred to another person, and have not been tested within the required leak test interval, they shall be tested before use or transfer. No sealed source shall be stored for a period of more than 10 years without being tested for leakage and/or contamination.
- D. The leak test shall be capable of detecting the presence of 185 becquerels (0.005 microcuries) of radioactive material on the test sample. If the test reveals the presence of 185 becquerels (0.005 microcuries) or more of removable contamination, a report shall be filed with the U.S. Nuclear Regulatory Commission in accordance with 10 CFR 30.50(c)(2), and the source shall be removed immediately from service and decontaminated, repaired, or disposed of in accordance with Commission regulations.
- E. Analysis of leak test samples and/or contamination shall be performed by persons specifically licensed by the U.S. Nuclear Regulatory Commission or an Agreement State to perform such services. The licensee is authorized to collect leak test samples but not perform the analysis.
- F. Records of leak test results shall be kept in units of becquerels (microcuries) and shall be maintained for 3 years.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**License Number
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030-38866

Amendment No. 1

14. The licensee shall conduct a physical inventory every 6 months, or at other intervals approved by the U.S. Nuclear Regulatory Commission, to account for all sealed sources and/or devices received and possessed under the license. Records of inventories shall be maintained for 3 years from the date of each inventory, and shall include the radionuclides, quantities, manufacturer's name and model numbers, and the date of the inventory.
15. Sealed sources containing licensed material shall not be opened or sources removed from source holders by the licensee, except as specifically authorized.
16. A. Each gauge shall be tested for the proper operation of the on-off mechanism (shutter) and indicator, if any, at intervals not to exceed 6 months or at such longer intervals as specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission pursuant to 10 CFR 32.210 or the equivalent regulations of an Agreement State.
- B. Notwithstanding the periodic on-off mechanism (shutter) and indicator test, the requirement does not apply to gauges that are stored, not being used, and have the shutter lock mechanism in a locked position. The gauges exempted from this periodic test shall be tested before use. Records of test results shall be maintained for 3 years from the date of each test.
17. The following services shall not be performed by the licensee: installation, initial radiation surveys, relocation, removal from service, dismantling, alignment, replacement, disposal of the sealed source, and non-routine maintenance or repair of components related to the radiological safety of the gauge (i.e., the sealed source, the source holder, source drive mechanism, on-off mechanism (shutter), shutter control, shielding). These services shall be performed only by persons specifically licensed by the U.S. Nuclear Regulatory Commission or an Agreement State to perform such services.
18. The licensee may initially mount a gauge, if permitted by the certificate of registration issued by the U.S. Nuclear Regulatory Commission or an Agreement State, and under the following conditions:
- A. The gauge must be mounted in accordance with written instructions provided by the manufacturer.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**License Number
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Amendment No. 1

- B. The gauge must be mounted in a location compatible with the Conditions of Normal Use and Limitations and/or Other Considerations of Use in the certificate of registration issued by the U.S. Nuclear Regulatory Commission or an Agreement State.
- C. The on-off mechanism (shutter) must be locked in the off position, if applicable, or the source must be otherwise fully shielded.
- D. The gauge must be received in good conditions (e.g., the package was not damaged).
- E. The gauge must not require any modification to fit in the proposed location.

Mounting does not include electrical connection, activation, or operation of the gauge. The source must remain fully shielded, and the gauge may not be used until it is installed and made operational by a person specifically licensed by the U.S. Nuclear Regulatory Commission or an Agreement State to perform such operations.

- 19. A. The licensee may maintain, repair, or replace device components that are not related to the radiological safety of the device containing licensed material and that do not result in the potential for any portion of the body to come into contact with the primary beam or result in increased radiation levels in accessible areas.
 - B. The licensee may not maintain, repair, or replace any of the following device components: the sealed source, the source holder, source drive mechanism, on-off mechanism (shutter), shutter control, shielding, or any other component related to the radiological safety of the device, except as provided otherwise by specific condition of this license.
20. Prior to initial use and after installation, relocation, dismantling, alignment, or any other activity involving the source or removal of the shielding, the licensee shall assure that a radiological survey is performed to determine radiation levels in accessible areas around, above, and below the gauge with the shutter open. This survey shall be performed only by persons authorized to perform such services by the U.S. Nuclear Regulatory Commission or an Agreement State.
21. The licensee shall operate each device containing licensed material within the manufacturer's specified temperature and environmental limits such that the shielding and shutter mechanism of the source holder are not compromised.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**License Number
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Amendment No. 1

22. The licensee shall assure that the shutter mechanism of each device containing licensed material is locked in the closed position during periods when a portion of an individual's body may be subject to the direct radiation beam. The licensee shall review and modify, as appropriate, its "lock-out" procedures whenever a new device is obtained to incorporate the device manufacturer's recommendations.
23. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. This license condition applies only to those procedures that are required to be submitted in accordance with the regulations. The U.S. Nuclear Regulatory Commission's regulations shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the regulations.

A. Application dated May 27, 2014 (ML14155A053)

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date: June 14, 2017

By: _____

Michael Reichard
Region 1

CERTIFICATE OF COMPLETION

Presented to:

David Scott Johnson

40 Hour Radiation User Training Certification Course

Including

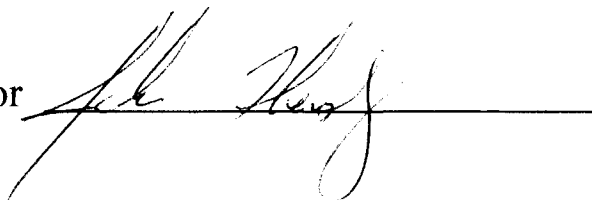
Physics, Mathematics, Operation of Survey equipment, Emergency Procedures,
Rules and Regulations, Safety, Health and Operating Procedures.

CERTIFICATE # **JHPF032920193940**

Issued By

RSO SERVICES, INC

Instructor



Date: 03/29/2019



ACKNOWLEDGEMENT - RECEIPT OF CORRESPONDENCE

Name and Address of Applicant and/or Licensee Kuraray America, Inc. ATTN: Christopher Shockey, Area Manager 8480 DuPont Road Washington, WV 26181	Date April 24, 2019
	License Number(s) 47-35267-01
	Mail Control Number(s) 611999
	Licensing and/or Technical Reviewer or Branch Commercial, Industrial, R&D, & Academic Branch

This is to acknowledge receipt of your: Letter and/or Application Dated: 04/01/2019

The initial processing, which included an administrative review, has been performed.
 Amendment Termination New License Renewal

There were no administrative omissions identified during our initial review.

This is to acknowledge receipt of your application for renewal of the material(s) license identified above. Your application is deemed timely filed, and accordingly, the license will not expire until final action has been taken by this office.

Your application for a new NRC license did not include your taxpayer identification number. Please complete and submit NRC Form 531, Request for Taxpayer Identification Number, located at the following link: <http://www.nrc.gov/reading-rm/doc-collections/forms/nrc531.pdf>
 Follow the instructions on the form for submission.

The following administrative omissions have been identified:
 [Empty box for listing omissions]

Your application has been assigned the above listed MAIL CONTROL NUMBER. When calling to inquire about this action, please refer to this control number. Your application has been forwarded to a technical reviewer. Please note that the technical review, which is normally completed within 180 days for a renewal application (90 days for all other requests), may identify additional omissions or require additional information. If you have any questions concerning the processing of your application, our contact information is listed below:

Region I U. S. Nuclear Regulatory Commission Division of Nuclear Materials Safety 2100 Renaissance Boulevard, Suite 100 King of Prussia, PA 19406-2713 (610) 337-5260, (610) 337-5313, (610) 337-5398, or (610) 337-5239
