

APPLICATION FOR MATERIAL LICENSE

030-30722 L+L=28259

INSTRUCTIONS: SEE THE APPROPRIATE LICENSE APPLICATION GUIDE FOR DETAILED INSTRUCTIONS FOR COMPLETING APPLICATION. SEND TWO COPIES OF THE ENTIRE COMPLETED APPLICATION TO THE NRC OFFICE SPECIFIED BELOW.

FEDERAL AGENCIES FILE APPLICATIONS WITH:

U.S. NUCLEAR REGULATORY COMMISSION
DIVISION OF FUEL CYCLE AND MATERIAL SAFETY, NMSS
WASHINGTON, DC 20555

ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS, IF YOU ARE LOCATED IN:

CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, MAINE, MARYLAND, MASSACHUSETTS, NEW JERSEY, NEW YORK, PENNSYLVANIA, RHODE ISLAND, OR VERMONT, SEND APPLICATIONS TO:

U.S. NUCLEAR REGULATORY COMMISSION, REGION I
NUCLEAR MATERIAL SECTION B
631 PARK AVENUE
KING OF PRUSSIA, PA 19406

ALABAMA, FLORIDA, GEORGIA, KENTUCKY, MISSISSIPPI, NORTH CAROLINA, PUERTO RICO, SOUTH CAROLINA, TENNESSEE, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA, SEND APPLICATIONS TO:

U.S. NUCLEAR REGULATORY COMMISSION, REGION II
MATERIAL RADIATION PROTECTION SECTION
101 MARIETTA STREET, SUITE 2900
ATLANTA, GA 30323

IF YOU ARE LOCATED IN:

ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, SEND APPLICATIONS TO:

U.S. NUCLEAR REGULATORY COMMISSION, REGION III
MATERIALS LICENSING SECTION
790 ROOSEVELT ROAD
GLEN ELLYN, IL 60137

ARKANSAS, COLORADO, IDAHO, KANSAS, LOUISIANA, MONTANA, NEBRASKA, NEW MEXICO, NORTH DAKOTA, OKLAHOMA, SOUTH DAKOTA, TEXAS, UTAH, OR WYOMING, SEND APPLICATIONS TO:

U.S. NUCLEAR REGULATORY COMMISSION, REGION IV
MATERIAL RADIATION PROTECTION SECTION
611 RYAN PLAZA DRIVE, SUITE 1000
ARLINGTON, TX 76011

ALASKA, ARIZONA, CALIFORNIA, HAWAII, NEVADA, OREGON, WASHINGTON, AND U.S. TERRITORIES AND POSSESSIONS IN THE PACIFIC, SEND APPLICATIONS TO:

U.S. NUCLEAR REGULATORY COMMISSION, REGION V
MATERIAL RADIATION PROTECTION SECTION
1450 MARIA LANE, SUITE 210
WALNUT CREEK, CA 94596

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 JURISDICTION.

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

- A. NEW LICENSE
- B. AMENDMENT TO LICENSE NUMBER _____
- C. RENEWAL OF LICENSE NUMBER _____

2. NAME AND MAILING ADDRESS OF APPLICANT (Include Zip Code)

Sussex County Engineering Department
8 North Race Street, P. O. Box 589
Georgetown, DE 19947

3. ADDRESS(ES) WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED

Sussex County Engineering Department
Post Office Box 589, 8 North Race Street
Georgetown, DE 19947

4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

Gary Fleetwood

TELEPHONE NUMBER

(302) 855-7726

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

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

8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS

9. FACILITIES AND EQUIPMENT.

10. RADIATION SAFETY PROGRAM

11. WASTE MANAGEMENT

7001160310 881019
REG1 LIC30
07-28259-01 PDR

12. LICENSEE FEES (See 10 CFR 170 and Section 170.31)

FEE CATEGORY 3P AMOUNT ENCLOSED \$ 230.00

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, 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.

SIGNATURE - CERTIFYING OFFICER

Robert W Wood

TYPED/PRINTED NAME

Robert W. Wood

TITLE

Sussex County Engineer

DATE

6/21/88

14. VOLUNTARY ECONOMIC DATA

a. ANNUAL RECEIPTS

| | |
|-------------|-----------|
| <\$250K | \$1M-3.5M |
| \$250K-500K | \$3.5M-7M |
| \$500K-750K | \$7M-10M |
| \$750K-1M | >\$10M |

b. NUMBER OF EMPLOYEES (Total for entire facility excluding outside contractors)

20

d. WOULD YOU BE WILLING TO FURNISH COST INFORMATION (Dollar and/or staff hours) ON THE ECONOMIC IMPACT OF CURRENT NRC REGULATIONS OR ANY FUTURE PROPOSED NRC REGULATIONS THAT MAY AFFECT YOU? (NRC regulations permit it to protect confidential commercial or financial--proprietary--information furnished to the agency in confidence)

c. NUMBER OF BEDS

n/a

YES

NO

FEE EXEMPT

TYPE OF FEE

APP

FEE LOG

Aug. 97

FEE CATEGORY

EX 3P

COMMENTS

170-116(9)

OFFICIAL RECORD COPY

APPROVED BY

S. Kimberley

AMOUNT RECEIVED

\$230

CHECK NUMBER

030350

DATE

8/11/88

TELEPHONE

verified they are Gov't ofc.

ML10,

109324

DATE

8/24/88

28 JUL 1988

PRIVACY ACT STATEMENT

Pursuant to 5 U.S.C. 552a(e)(3), enacted into law by section 3 of the Privacy Act of 1974 (Public Law 93-579), the following statement is furnished to individuals who supply information to the Nuclear Regulatory Commission on NRC Form 313. This information is maintained in a system of records designated as NRC-3 and described at 40 Federal Register 45334 (October 1, 1975).

1. **AUTHORITY:** Sections 81 and 161(b) of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2111 and 2201(b)).
2. **PRINCIPAL PURPOSE(S):** The information is evaluated by the NRC staff pursuant to the criteria set forth in 10 CFR Parts 30, 32, 33, 34, 35 and 40 to determine whether the application meets the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations, for the issuance of a radioactive material license or amendment thereof.
3. **ROUTINE USES:** The information may be (a) provided to State health departments for their information and use; and (b) provided to Federal, State, and local health officials and other persons in the event of incident or exposure, for their information, investigation, and protection of the public health and safety. The information may also be disclosed to appropriate Federal, State, and local agencies in the event that the information indicates a violation or potential violation of law and in the course of an administrative or judicial proceeding. In addition, this information may be transferred to an appropriate Federal, State, or local agency to the extent relevant and necessary for an NRC decision or to an appropriate Federal agency to the extent relevant and necessary for that agency's decision about you.
4. **WHETHER DISCLOSURE IS MANDATORY OR VOLUNTARY AND EFFECT ON INDIVIDUAL OF NOT PROVIDING INFORMATION:** Disclosure of the requested information is voluntary. If the requested information is not furnished, however, the application for radioactive material license, or amendment thereof, will not be processed. A request that information be held from public inspection must be in accordance with the provisions of 10 CFR 2.790. Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned need to inspect the document.
5. **SYSTEM MANAGER(S) AND ADDRESS:** U.S. Nuclear Regulatory Commission
Director, Division of Fuel Cycle and Material Safety
Office of Nuclear Material Safety and Safeguards
Washington, D.C. 20555

ITEM NO. 5 - RADIOACTIVE MATERIAL

| | (A) Radioisotope | (B) Form | (C) Troxler Drawing No. | (D) Maximum Amount |
|-----|---------------------|-----------------|----------------------------|-----------------------------------|
| (A) | Cs-137 | Special Form | A-102112 | Not to exceed 9mCi per source |
| (B) | Am241:Be | Special | A-102451 | Not to exceed 44mCi per source |

ITEM NO. 6 - MATERIAL USE

- (A) For use in a Troxler Model 3440 Portable Surface Moisture - Density Gauge.
- (B) For use in a Troxler Model 3440 Portable Surface Moisture - Density Gauge.

ITEM NO. 7 - RADIATION SAFETY OFFICER

Gary Fleetwood has been designated as the Radiation Safety Officer for the Sussex County Engineering Department. A copy of his Troxler Nuclear Gauge Training Certificate is attached for your review. Gary Fleetwood's duties as Radiation Safety Officer are specified in Item No. 10.

ITEM NO. 8 - TRAINING OF GAUGE USERS

Each individual that will operate the nuclear gauge has completed the Troxler Nuclear Gauge Training course. Each individual has read and understands our radiation safety procedures and each will be approved by our Radiation Safety Officer. Copies of each individuals training certificate will be maintained on file.

ITEM NO. 9 - GAUGE STORAGE AREA

A sketch has been attached of the area where the gauge will be stored when not in use. This area is on the third floor of the County Engineering building and is vacant.

Item NO. 10 - RADIATION SAFETY PROGRAM

1. RADIATION SAFETY OFFICER

- (A) Gary Fleetwood has been designated as the Radiation Safety Officer for the Sussex County Engineering Department and will assume the duties and responsibilities that include the following:

- 1. Ensure that all terms and conditions of the license are being met and that the information in the license is up-to-date.

2. Ensure that the moisture-density gauge has been leak tested in the required timely manner and that the leak test is performed as prescribed by the equipment manufacturer.
3. Ensure that the use of the equipment is only by individuals that have been authorized by the Radiation Safety Officer and that all users wear personnel monitoring equipment when utilizing the gauge.
4. Maintain the appropriate records as required by the license and the regulations. These records shall include personnel exposure records, leak test records and training certificates for all users.
5. Ensure that the gauge is properly secured against unauthorized removal at all times when it is not in use.
6. Serve as a point of contact and give assistance in case of emergency such as equipment damaged in the field or theft and to notify the proper authorities in case of emergency.
7. Ensure that all users have read and understand the radiation safety operating and emergency procedures.

2. OPERATING PROCEDURES

(A) TRANSPORTATION OF EQUIPMENT

1. All possible means shall be provided to ensure the moisture-density gauge is fully secured in the transporting vehicle and the equipment is away from the passenger compartment. When transporting in an enclosed vehicle (car or van), the vehicle will be locked. When transporting in an open bed vehicle, the gauge shall be securely fastened and locked to the truck bed.
2. The gauge will be transported in the Troxler transportation case. The United States Department of Transportation requires that the gauge be transported in a properly labeled carrying case.
3. The operator shall have, at all times, a properly completed Bill of Lading for each gauge.

(B) UTILIZATION PROCEDURES

1. When the gauge is in the field, the authorized user shall maintain control over the gauge at all times. The gauge shall never be left unattended.
2. When not making measurements, the gauge shall be placed in the transportation case and returned to its permanent storage area as soon as possible. The gauge is to be used for its intended purpose only. By doing so, the user will maintain any radiation exposure to as low as reasonably attainable.
3. When using the gauge, the user will wear the personal monitoring device that has been assigned to them. When the equipment is not in use, the user's monitoring device shall be stored in a radiation free area on the first floor of the office building.

(C) MAINTENANCE AND LEAK TEST PROCEDURES

1. Periodic maintenance will include cleaning the gauge. During any maintenance, the user will wear his personal monitoring device.
2. No maintenance will be performed in which the radioactive source is removed from the gauge. For this type of maintenance, the gauge will be returned to the manufacturer.
3. The leak test will be performed using the Troxler Model 3880 Leak Test Kit. The leak test will be performed using the manufacturer's instruction. The user's personal monitoring device shall be worn during this procedure. Gauges shall be leak tested at least every six (6) months.

3. Emergency Procedures

(A) In the event of physical damage to a gauge, the following will be performed:

1. An area radius of fifteen (15) feet around the gauge shall immediately be cordoned off.
2. If a vehicle is involved, it must be stopped until the extent of the contamination, if any, can be established.
3. A visual inspection of the gauge shall be made to determine if the source housing and/or shielding has been damaged.

A. At the earliest possible time, when the situation is under control, Gary Fleetwood must be contacted at (302) 855-7726. Describe the present conditions and follow the instructions of the Radiation Safety Officer.

(B) In the event the gauge is lost or stolen, immediately notify the Radiation Safety Officer as listed above in Item 3.A.4.

ITEM NO. 11 - WASTE MANAGEMENT

Disposal of the gauge will be by transfer to another facility specifically licensed for the material; or returned to the gauge manufacturer. Records of the gauge transfer will be maintained on file.

TROXLER ELECTRONIC LABORATORIES, INC.

HEREBY CERTIFIES THAT

GARY L. FLEETWOOD

of

SUSSEX COUNTY ENGINEERING DEPT.

HAS SUCCESSFULLY COMPLETED THE TROXLER ELECTRONIC LABORATORIES, INC.
TRAINING COURSE FOR THE USE OF NUCLEAR TESTING EQUIPMENT.

SUBJECTS INCLUDED IN THIS COURSE WERE AS FOLLOWS:

Radiological Safety

1. Principles and practices of radiation protection.
2. Leak testing procedures.
3. Mathematics and calculations basic to the use and measurement of radioactivity.
4. Biological effects of radiation.
5. Radioactivity measurement standardization and monitoring techniques and instruments.
6. Accident and incident procedures.
7. Procedures for nuclear gauge storage and transportation.
8. General safety precautions.

Gauge Operation

1. Instrument theory
2. Operating procedures
3. Maintenance
4. Field application
5. Gauge calibration

Michael E. Nunley

INSTRUCTOR

04/28/88

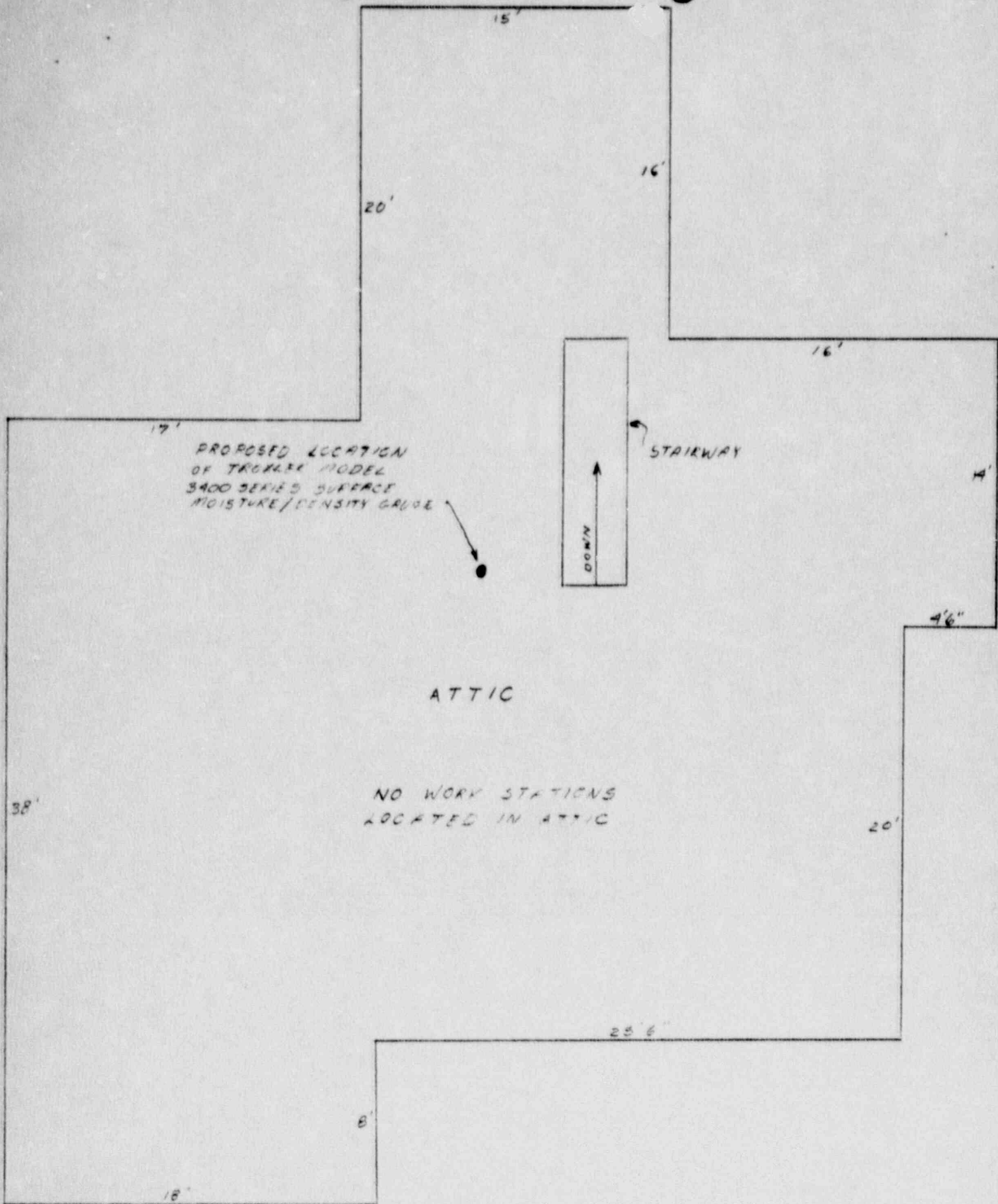
DATE

No 22829

W. F. Troxler

PRESIDENT

ITEM 9



109324



Sussex County

COURTHOUSE
GEORGETOWN, DELAWARE 19947
302-856-7701

ABOVE ORDER NO. MUST APPEAR ON ALL PAPERS AND PACKAGES RELATIVE TO THIS ORDER.

SHIP TO BILL TO

SUSSEX COUNTY ENGINEERING
8 N. RACE STREET
GEORGETOWN DE 19947

U.S. NUCLEAR REG. COMM.
NUC. MATERIAL SEC. 8
631 PARK AVENUE
KING OF PRUSSIA, PA 19406

SUSSEX COUNTY ENGINEERING
P.O. BOX 589
GEORGETOWN DE 19947

VENDOR NO. ~~000000~~ 027640

PROJECT NO.

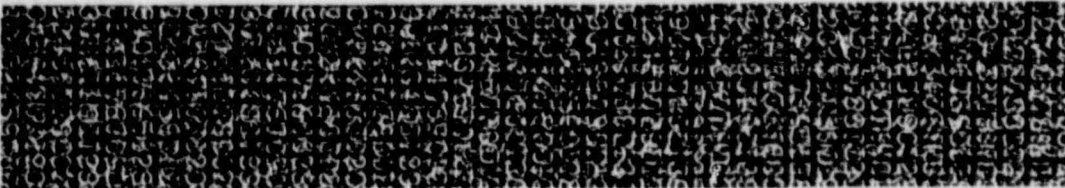
TERMS:

RECEIVED BY:

DATE RECEIVED:

DATE REQUESTED:
6/30/88

| DESCRIPTION AND ACCOUNT NUMBER | QUANTITY ORDERED | QUANTITY RECEIVED | UNIT PRICE | TOTAL PRICE |
|--|------------------|-------------------|------------|-------------|
| NUCLEAR DENSITY PERMIT LICENSE EA 9000009 001-031-531.11-44 | 1 | | 230.000 | 230.00 |



| | | |
|--------------|----------|---------------|
| SUB TOTAL | ▶ | 230.00 |
| FREIGHT | ▶ | |
| DISCOUNT | ▶ | |
| TOTAL | ▶ | 230.00 |

APPROVED

AW Wood 6.30.88

DEPT. HEAD

[Signature]
6/30/88

PURCHASING AGENT

FINANCE DIRECTOR

COUNTY ADMINISTRATOR

VENDOR COPY

AUG 24 1988

Sussex County Engineering Department
Attn: Robert W. Wood
Sussex County Engineer
8 North Race Street
P.O. Box 589
Georgetown, DE 19947

Gentlemen:

Enclosed is Check No. 030350 which accompanied your June 21, 1988 application for a Materials License.

Section 170.11(a)(9) of Part 170, copy enclosed, provides that no fees will be required for "A license for possession and use of byproduct material, source material, or special nuclear material applied for by, or issued to, an agency of a State or any political subdivision thereof." The Sussex County Engineering Department is, therefore, exempt from payment of license fees.

Your application has been sent to the Licensing staff for processing.

Sincerely,

Signed by:
Glenda Jackson

Glenda Jackson
License Fee Management Branch
Division of Accounting and Finance
Office of Administration and
Resources Management

Enclosures:

- 1. Check No. 030350 (\$230)
- 2. 10 CFR 170

DISTRIBUTION:

Pending Fee File
ARM/DAF R/F
LFMB R/F (2)
DW/REJ/Ck re 8/Sussex County Engineering

| | | | | | | | | | |
|---------|-------------|-----|------------|---|---|---|---|---|---|
| OFFICE | : ARM/LFMB | JK | : ARM/LFMB | ✓ | : | : | : | : | : |
| SURNAME | : SKimberly | lp: | GJackson | : | : | : | : | : | : |
| DATE | : 8/18/88 | : | 8/19/88 | : | : | : | : | : | : |

BETWEEN:

LICENSE FEE MANAGEMENT BRANCH, ARM
AND
REGIONAL LICENSING SECTIONS

(FOR LFMS USE)
INFORMATION FROM LTS

PROGRAM CODE: _____
STATUS CODE: 3
FEE CATEGORY: _____
EXP. DATE: 0
FEE COMMENTS: 170.11(a)(9)
.....

Comment Added:

LICENSE FEE TRANSMITTAL

A. REGION I

1. APPLICATION ATTACHED
APPLICANT/LICENSEE: SUSSEX COUNTY ENGINEERING DEPT.
RECEIVED DATE: 880728
DOCKET NO.: 3030722
CONTROL NO.: 109324
LICENSE NO.:
ACTION TYPE: NEW LICENSEE

2. FEE ATTACHED
AMOUNT: ~~\$230.00~~
CHECK NO.: ~~030350~~

3. COMMENTS

SIGNED *L. G. Brown*
DATE 8/28/04

B. LICENSE FEE MANAGEMENT BRANCH (CHECK WHEN MILESTONE 03 IS ENTERED 1/1)

1. FEE CATEGORY AND AMOUNT: EX 3P **FEE EXEMPT**

2. CORRECT FEE PAID. APPLICATION MAY BE PROCESSED FOR: 170.11(a)(9)
AMENDMENT _____
RENEWAL _____
LICENSE 1 _____

3. OTHER _____

SIGNED *D. K. ...*
DATE 8/24/04