

VOID SHEET

TO: License Fee Management Branch

FROM: Region IV

SUBJECT: VOIDED APPLICATION

Control Number: 463188

Applicant: Shumaker Trucking + Excavating, Inc.

Date Voided: 12/18/90

Reason for Void: Letter from

licensee stating that he would
not pursue license until he
has trained personnel. Application
will be reinstated when applicant
requests it. Review accomplished.

Billic Gussymaki 12/18/90
signature date

Attachment:
Official Record Copy of
Voided Action

FOR LFMB USE ONLY

Final Review of VOID Completed:

- Refund Authorized and processed
- No Refund Due
- Fee Exempt or Fee Not Required

Comments: _____

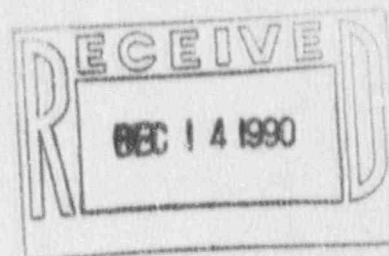
Log completed

Processed by: Mr. Huron 1/5/91



SHUMAKER TRUCKING & EXCAVATING CONTRACTORS, INC.

Havre Highway
P.O. Box 1442
Great Falls, MT 59403
(406) 727-3537



December 7, 1990

United States Nuclear Regulatory Commission
Region IV
611 Ryan Plaza Drive, Suite 1000
Arlington, Texas 76011

Attn: Billie Gruszynski

Re: Application for license

Per our telephone conversation, we are requesting that our application be put on hold. This will allow us time to schedule the certified training for myself or another of our full time employees.

This individual will be named as the radiation safety officer and will control access to and from the storage trailer for the gauge.

We will forward the required information as soon as it is received.

Sincerely,

Frank C. Little
Project Manager

91 JAN -7 AM '27

RECEIVED

NOV 9 1990

NMLS:BG
Control No. 463188

Shumaker Trucking & Excavating, Inc.
ATTN: Mr. Frank Little
P.O. Box 1442
Great Falls, Montana 59403

Gentlemen:

This is in reference to your application dated July 10, 1990, requesting a byproduct materials license for use of portable gauging devices. We have reviewed your application and have the following comments and need for additional information.

1. During your telephone conversation with the undersigned on October 23, 1990, it was deemed necessary that you name a radiation safety officer other than the person named on your application since Ms. Holsworth is not employed by your company on a full time basis. The person named should have certified training.
2. Your application states that the office manager will have a key to the trailer used for storage of the gauges. Item 9 of the enclosed "Guide" states that you must provide assurance that unauthorized (untrained) persons will not have access to the gauges. Is the office manager a trained authorized person?
3. Your application indicates you will perform leak tests. Item 10.3 of the Guide requires that you choose one of the options noted. Please provide the name, address, and license number, as well as the kit number, if you have chosen Option No. 2 of the Guide. If you choose one of the other options, provide the information as requested.
4. Ms. Holsworth was indicated to be the contact person on the application. We would presume that has changed. Please name the person to contact.

In order to continue prompt review of your application, we request that you submit your response within 30 calendar days from the date of this letter. Please reply in duplicate and refer to Control No. 463188.

Sincerely,
~~Original Signed By~~
Billie Gruszynski

Billie Gruszynski (Ms.)
Nuclear Materials Licensing Section

Enclosure:
"Guide for the Preparation of Applications
for Licenses for the Use of Sealed Sources
in Portable Gauging Devices," January 1985

RIV:NMLS *BA*
BGruszynski:lm
10/30/90

C:NMLS *WLF*
WLFisher
11/8/90

CONVERSATION RECORD

TIME

DATE

10/4/90

TYPE VISIT CONFERENCE TELEPHONE

ROUTING INCOMING OUTGOING

Location of Visit/Conference: _____

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU: Frank Little

ORGANIZATION (Office, dept., bureau, etc.): Shumaker Trucking & Excavating, Inc.

TELEPHONE NO.: (406) 727-3532

SUBJECT: Application for new license

SUMMARY

When B. Druszyński called for Col. Halsworth on Sept. 27, 1990, she was told Mr. Halsworth no longer works there.

Mr. Little called back to say they were not sure whether they would pursue. If so, they would send check to Sec Branch.

10/23/90 - I talked with Mr. Little and asked what they will do about an RSO. He stated they would probably have to train someone. I told him I would write a letter asking for all missing information. *By*

ACTION REQUIRED

Await approval from Secs

NAME OF PERSON DOCUMENTING CONVERSATION: _____ SIGNATURE: Billie Druszyński DATE: 10/4/90

ACTION TAKEN: _____

SIGNATURE: _____ TITLE: _____ DATE: _____

JUL 25 1990

Shumaker Trucking and Excavating
Contractors, Inc.
ATTN: Opal M. Holsworth
P.O. Box 1442 Old Havre Highway
Great Falls, Montana 59403

Gentlemen:

This refers to your application dated July 10, 1990, for a materials license.

We received your check for \$230. Your request, however, is subject to an application fee of \$400 as specified in fee Category 3P of §170.31, revised 10 CFR 170, which went into effect July 2, 1990. A copy of the May 23, 1990, Federal Register notice regarding the revision to the Commission's fee regulations is enclosed. Payment of the additional \$170 fee should be made to the U.S. Nuclear Regulatory Commission and mailed to the following address:

U.S. Nuclear Regulatory Commission
ATTN: Mr. Maurice Messier
License Fee and Debt Collection
Branch, OC/DAF
Mail Stop MNBB 4503
Washington, DC 20555

Your application will be processed by the Region IV Licensing staff located at 611 Ryan Plaza Drive, Suite 1000, Arlington, Texas 76011. The fee, however, is required prior to issuance of the license. When submitting the additional fee, please refer to CONTROL NUMBER 463188.

If we do not receive a reply from you within 30 calendar days from the date of this letter, we shall assume that you do not wish to pursue your application and will void this action.

Sincerely,

(Signed) Maurice Messier

Maurice Messier
License Fee and Debt Collection Branch
Division of Accounting and Finance
Office of the Controller

Enclosure:
May 23, 1990, Federal Register notice

cc: Region IV

DISTRIBUTION:
Pending Fee File
OC/DAF R/F
LFDCB R/F (2)
DW/RIVV/AB RIV AMD FEES

OFFICE: OC/LFDCB *m*
SURNAME: MMessier:rmg
DATE: 07/23/90

OC/LFDCB *g*
GJackson
07/25/90

(FOR LFMS USE)
INFORMATION FROM LTS

BETWEEN:

LICENSE FEE MANAGEMENT BRANCH, ARM
AND
REGIONAL LICENSING SECTIONS

PROGRAM CODE: 03121
STATUS CODE: 3
FEE CATEGORY: _____
EXP. DATE: 0
FEE COMMENTS: _____

LICENSE FEE TRANSMITTAL

A. REGION

1. APPLICATION ATTACHED
APPLICANT/LICENSEE: SHUMAKER TRUCKING & EXCAVATING INC.
RECEIVED DATE: 900718
DOCKET NO: 3031832
CONTROL NO.: 463188
LICENSE NO.:
ACTION TYPE: NEW LICENSEE

2. FEE ATTACHED
AMOUNT: 230.00
CHECK NO.: 8612

3. COMMENTS

SIGNED Michael Tule
DATE 7-18-90

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

1. FEE CATEGORY AND AMOUNT: 3P 400
2. CORRECT FEE PAID. APPLICATION MAY BE PROCESSED FOR:
AMENDMENT _____
RENEWAL _____
LICENSE
3. OTHER _____

SIGNED JK
DATE 10/15/90

RECEIVED
JUL 15 1990

NRC FORM 313
(9-88)
10 CFR 30, 32, 33,
34, 35 and 40

U.S. NUCLEAR REGULATORY COMMISSION
APPROVED BY OMB
3150-0120
Expires 6-30-90

APPLICATION FOR MATERIAL LICENSE

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.

APPLICATIONS FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH:

U.S. NUCLEAR REGULATORY COMMISSION
DIVISION OF INDUSTRIAL AND MEDICAL NUCLEAR SAFETY, NMSS
WASHINGTON, D.C.

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

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

U.S. NUCLEAR REGULATORY COMMISSION, REGION I
NUCLEAR MATERIALS SAFETY SECTION B
475 ALLENDALE ROAD
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
NUCLEAR MATERIALS SAFETY SECTION
101 MARIETTA STREET, SUITE 2900
ATLANTA, GA 30332

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
799 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
NUCLEAR MATERIALS SAFETY SECTION
1460 MARIA LANE, SUITE 214
WALNUT CREEK, CA 94606

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):

Shumaker Trucking and Excavating Contractors, Inc
P.O. Box 1442 Old Havre Highway
Great Falls, Montana 59403

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

Licensed material will be used at the address listed in 2 above and at temporary job sites throughout the united States, subject to NRC's regulatory authority.

4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

Opal M. Holsworth

TELEPHONE NUMBER
406-727-3580

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.	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 <i>Opal M Holsworth</i>	TYPED/PRINTED NAME Opal M Holsworth	TITLE Radiation Safety Officer	DATE 7/10/90
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FOR NRC USE ONLY

TYPE OF FEE <i>App</i>	FEE LOG <i>Jul 4 1990</i>	FEE CATEGORY <i>3P</i>	COMMENTS
AMOUNT RECEIVED <i>\$230.00</i>	CHECK NUMBER <i>170</i>	<i>862 / 8693</i>	
APPROVED BY <i>Sk</i>	DATE <i>10/15/90</i>		

Application for Material License

Shumaker Trucking and Excavating Contractors, Inc
P.O. Box 1442
Great Falls, MT 59403

5. Radioactive Material

<u>Radioisotope</u>	<u>Form</u>	<u>Troxler Drawing No.</u>	<u>Maximum Amount</u>
A. Cs-137	Special Form	A-102112	Not to exceed 9 mCi per source
B. Am241:Be	Special Form	A102451	Not to exceed 44 mCi per source
C. Am241:Be	Special Form	A-102700	Not to exceed 10 mCi per source
D. Am241:Be	Special Form	A-100608 or A-100337	Not to exceed 300 mCi per source
E. Cs-137	Special Form	A-100601	Not to exceed 6 mCi per source

6. Material Use

- A. For use in a Troxler model 3400 series, or 4640, or 4545, or 3565 portable measuring gauge.
- B. For use in a Troxler model 3400 series, or 3216, or 3218 portable measuring gauge.
- C. For use in a Troxler model 3200 series, or 3300 series portable measuring gauge.
- D. For use in a Troxler model 3241 portable measuring gauge.
- E. For use in a Troxler model 2376 portable measuring gauge.

7. Radiation Safety Officer

Opal M. Holsworth has been designated as the company Radiation Safety Officer. A copy of her Troxler Nuclear Gauge Training Certificate is attached for your review. The duties of the Radiation Safety Officer are specified in Item 10.

8. Training of Gauge Users

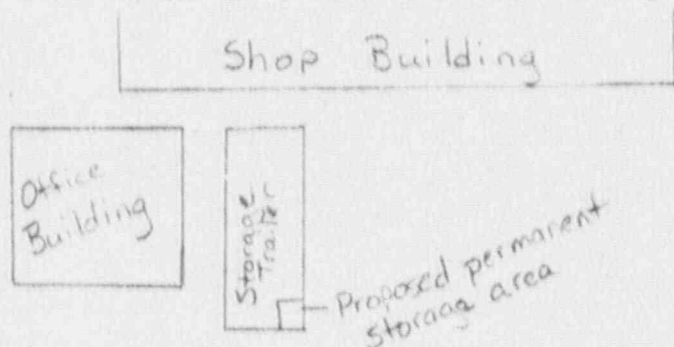
Each individual that will operate the nuclear gauge will complete the Troxler nuclear gauge training course; read and understand our radiation safety procedures; and be approved by our Radiation Safety Officer. Copies of each individual's training certificate will be maintained on file.

Application for Material License

Shumaker Trucking and Excavating Contractors, Inc
P.O. Box 1442
Great Falls, MI 59403

9. Facility and Equipment

Facilities: I have included below a sketch of the area where gauges will be stored when not in use at our main office and yard facility.



The sketch shows the configuration of buildings within our equipment yard at Great Falls. The gauges will be stored in the locked storage trailer (a separate building) when on the premises and not in use. Personnel with a key to the trailer will be the office manager and Radiation Safety Officer. Within the trailer, the gauges will be stored in their locked cases and placed inside a locked storage box. The Radiation Safety Officer and authorized gauge users will have keys to this storage system.

Storage at temporary job sites will be in the gauge case in a locked storage box inside a lockable office or laboratory facility.

The permanent storage area is in a non-work environment and is 10 -25 feet away from the offices in a separate building. Temporary storage will be within 10 - 20 feet of a work environment, but in most cases the gauges will only be stored when there are no personnel within the work area.

Equipment:

1. Survey Instruments - We have access to use of a radiation survey meter for leak test detection.
2. Personnel Monitoring Devices- Troxler Radiation Monitoring Services
Division of Troxler Electronic Laboratories, Inc
P.O. Box 12057
Research Triangle Park, North Carolina 27709

Type: Thermoluminescent Dosimeter (TLD)
Exchange Frequency: Quarterly

APPLICATION FOR MATERIAL LICENSE

Shumaker Trucking and Excavating Contractors, Inc
P.O. Box 1442
Great Falls, MT 59403

RADIATION SAFETY PROGRAM

1. Radiation Safety Officer

A. Opal M. Holsworth has been designated as the company Radiation Safety Officer and will assume the duties and responsibilities that include the following:

1. To ensure that all terms and conditions of the license are being met and that the information contained in the license is up-to-date.
2. To ensure that the equipment has been leak tested in the required timely manner and that the leak test is performed in the manner prescribed by the equipment manufacturer.
3. To 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 equipment. Personnel monitoring equipment will consist of thermoluminescent dosimeters supplied by Troxler Radiation Monitoring Services on a quarterly exchange basis.
4. To maintain the 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. To ensure that the equipment is properly secured against unauthorized removal at all times when it is not in use.
6. To 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. To 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 that the equipment is secured in the transporting vehicle and the equipment is away from the passenger compartment. When transporting in an enclosed vehicle (van), the vehicle will be locked. When transporting in an open bed vehicle, the gauge should be securely fastened and locked to the truck bed.

APPLICATION FOR MATERIAL LICENSE

Shumaker Trucking and Excavating Contractors, Inc.
P.O. Box 1442
Great Falls, Montana 59403

Radiation Safety Program - Operating Procedures (continued)

A. Transportation of Equipment (continued)

2. The gauge will be transported in the TROXLER transportation case. Department of Transportation requires that the gauge be transported in a properly labeled carrying case.
3. At all times during transport, the operator will have a properly completed Bill of Lading for each gauge.

B. Utilization Procedures

1. When the gauge is in the field, you as the authorized user must maintain control over the gauge at all times. The gauge must never be left unattended.
2. When not making measurements, the gauge should 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, you will maintain any radiation exposure as low as reasonably attainable.
3. When using the equipment, you will wear the personnel monitoring device that has been assigned to you. When you are not using the equipment, your monitoring device is to be stored in the radiation free area that has been designated in the office.

C. Maintenance and Leak Test procedures

1. Periodic maintenance will include cleaning the gauge. During any maintenance, you must wear your personnel monitoring device. Accepted cleaning and lubrication procedures developed by the manufacturer will be followed.
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 manufacturer's instructions for the type of leak test kit used. Again, the personnel monitoring device will be employed. Gauges will be leak tested at intervals not to exceed six(6) months.

APPLICATION FOR MATERIAL LICENSE

Shumaker Trucking and Excavating Contractors, Inc
P.O. Box 1442
Great Falls, Montana 59403

Radiation Safety Program- (Continued)

3. Emergency Procedures

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

1. Immediately cordon off an area around the gauge. An area radius of 15 feet will be sufficient.
2. If a vehicle is involved, it must be stopped until the extent of contamination, if any, can be determined.
3. A visual inspection of the gauge is to be made to determine if the source housing and /or the shielding has been damaged.
4. At the earliest possible time, when the situation is under control, you must contact Opal Holsworth, at (406)727-3537. 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 3.A.4.

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 transfer will be maintained on file.

TROXLER ELECTRONIC LABORATORIES, INC.

HEREBY CERTIFIES THAT

OPAL M. HOLSWORTH
of

DAVIS, ATKINS & ASSOCIATES

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. Formulas 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

Donald Lorentzson
INSTRUCTOR

09-02-87
DATE

W. F. Troxler
PRESIDENT

№ 19575