

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, 40 and 70, 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.

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|---|---|
| <p>Licensee</p> <p>1. Haskell Lemon Construction Company</p> <p>2. P.O. Box 75608 3800 S.W. 10th Street Oklahoma City, Oklahoma 73147</p> | <p>In accordance with letter dated September 12, 1991</p> <p>3. License number 35-26889-01 is amended in its entirety to read as follows:</p> <p>4. Expiration date August 31, 1992</p> <p>5. Docket or Reference No. 030-30096</p> |
|---|---|

| 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 |
|---|---|--|
| A. Cesium-137 | A. Sealed sources (Troxler Dwg. No. A-102112) | A. Not to exceed 10 millicuries per source |
| B. Americium-241 | B. Sealed neutron sources (Troxler Dwg. No. A-102451) | B. Not to exceed 50 millicuries per source |
| C. Americium-241 | C. Sealed neutron sources (Troxler Dwg. No. 100337) | C. Not to exceed 330 millicuries per source |

9. Authorized use
- A. For use in Troxler Model 4545 moisture/density gauges for measurement properties of materials.
 - A. and B. For use in Troxler Model 3400 Series moisture/density gauges for measurement of properties of materials.
 - C. For use in Troxler Model 3241 asphalt content gauges for measurement of properties of materials.

CONDITIONS

10. Licensed material may be used at the licensee's facility at 1400 N.E. 2nd Street, Oklahoma City, Oklahoma, and at temporary job sites of the licensee anywhere in the United States where the U. S. Nuclear Regulatory Commission maintains jurisdiction for regulating the use of licensed material.

OFFICIAL RECORD COPY

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REG4 LIC30
MATLSLICENSING PDR

ML40

J. R. ...

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

| | |
|----------------------------|-------------|
| License number | 35-26889-01 |
| Docket or Reference number | 030-30096 |
| Amendment No. 01 | |

11. Licensed material shall be used by, or under the supervision and in the physical presence of, Larry Patrick or individuals who have been trained as specified in application dated June 29, 1987. The licensee shall maintain records of individuals designated as users.

12. A. (1) The sources specified in Items 7.A. through 7.C. shall be tested for leakage and/or contamination at intervals not to exceed 6 months. Any source received from another person which is not accompanied by a certificate indicating that a test was performed within 6 months before the transfer shall not be put into use until tested.

(2) Notwithstanding the periodic leak test required by this condition, any licensed sealed source is exempt from such leak tests when the source contains 100 microcuries or less of beta and/or gamma emitting material or 10 microcuries or less of alpha emitting material.

F. Any source in storage and not being used need not be tested. When the source is removed from storage for use or transfer to another person, it shall be tested before use or transfer.

C. The test shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. If the test reveals the presence of 0.005 microcurie or more of removable contamination, the source shall be removed from service and decontaminated, repaired, or disposed of in accordance with Commission regulations. A report shall be filed within 5 days of the date the leak test result is known with the U.S. Nuclear Regulatory Commission, Region IV, 611 Ryan Plaza Drive, Suite 1000, Arlington, Texas 76011, ATTN: Director, Division of Radiation Safety and Safeguards. The report shall specify the source involved, the test results, and corrective action taken. Records of leak test results shall be kept in units of microcuries and shall be maintained for inspection by the Commission. Records may be disposed of following Commission inspection.

D. The licensee is authorized to collect leak test samples for analysis by Troxler Electronic Laboratories, Inc., or tests for leakage and/or contamination shall be performed by persons specifically licensed by the Commission or an Agreement State to perform such services.

13. Sealed sources containing licensed material shall not be opened.

14. Maintenance or repair of portable devices involving removal of the sealed sources from the devices or removal or dismantling of shielding may be performed only by the device manufacturer, or by other persons specifically authorized by the Commission or an Agreement State to perform such services.

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030-30096

Amendment No. 01

- 15. The licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license. Records of inventories shall be maintained for 2 years from the date of each inventory.
- 16. The licensee may transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
- 17. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of licensed material to quantities below the minimum limit specified in 10 CFR 30.35(d) for establishing decommissioning financial assurance.
- 18. The licensee shall maintain records of information important to safe and effective decommissioning at 1400 N.E. 2nd Street, Oklahoma City, Oklahoma per the provision of 10 CFR 30.35(g) until this license is terminated by the Commission.
- 19. 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. The 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 June 29, 1987
 - B. Letter dated July 20, 1987
 - C. Letter dated September 12, 1991

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Original Signed By
Vivian H. Campbell

Date DEC 16 1991

By Nuclear Materials Licensing Section
Region IV
Arlington, Texas 76011

DEC 16 1991

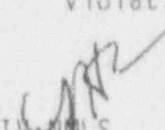
Haskell Lemon Construction Company
ATTN: Peter K. W. Wert
Vice President
P.O. Box 75608
3800 S.W. 10th Street
Oklahoma City, Oklahoma 73147

Gentlemen:

Please find enclosed Amendment No. 01 to your NRC material license. You should review this amendment carefully and be sure that you understand all conditions. If you have any questions, you may contact the reviewer who signed your license amendment at 817/860-8100.

Please be advised that you must conduct your program involving radioactive materials in accordance with the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate in accordance with NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers; Inspections," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Possess radioactive material only in the quantity and form indicated in your license.
3. Use radioactive material only for the purposes indicated in your license.
4. Notify NRC in writing of any change in mailing address (no fee required if the location of radioactive material remains the same).
5. Request and obtain appropriate amendments if you plan to change ownership of your sole proprietorship or partnership, change the corporate status of your company, change locations of radioactive material within NRC jurisdiction, or make any other changes in your facility or program which are contrary to your license conditions or representations made in your license application and any supplemental correspondence with NRC. A license fee may be charged for the amendments if you are not in a fee-exempt category.
6. Submit a complete renewal application with proper fee, 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.


RIVNMLS
VHCampbell

12/16/91

7. Request termination of your license if you plan to permanently discontinue activities involving radioactive material.

You will be periodically inspected by NRC. A fee may be charged for inspections in accordance with 10 CFR Part 170. 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; imposition of a civil penalty; or an order suspending, modifying, or revoking your license as specified in the General Policy and Procedures for NRC Enforcement Action, 10 CFR Part 2, Appendix C. 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 the NRC expects of its licensees.

Thank you for your cooperation.

Sincerely,

**Original Signed By
Vivian H. Campbell**

Vivian H. Campbell
Health Physicist
Nuclear Materials Licensing Section

Enclosure:
As stated

(FOR LFMS USE)
INFORMATION FROM LTS

BETWEEN:

LICENSE FEE MANAGEMENT BRANCH, ARM
AND
REGIONAL LICENSING SECTIONS

PROGRAM CODE: 03121
STATUS CODE: 0
FEE CATEGORY: 3P
EXP. DATE: 19920831
FEE COMMENTS:
DECOM FIN ASSUR REQD:

LICENSE FEE TRANSMITTAL

A. REGION

1. APPLICATION ATTACHED
APPLICANT/LICENSEE: HASKELL LEMON CONSTRUCTION CO.
RECEIVED DATE: 910917
DOC-ET NO: 3030096
CONTROL NO.: 463880
LICENSE NO.: 35-26889-01
ACTION TYPE: AMENDMENT

SEP 30 1991

2. FEE ATTACHED ~~380.00~~
AMOUNT: 380
CHECK NO.: 82435

3. COMMENTS

SIGNED Billie Guszczynski
DATE 9/18/91

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

1. FEE CATEGORY AND AMOUNT: 3P \$ 380
2. CORRECT FEE PAID. APPLICATION MAY BE PROCESSED FOR:
AMENDMENT
RENEWAL _____
LICENSE _____
3. OTHER _____

SIGNED [Signature]
DATE 9/25/91



HASKELL LEMON CONSTRUCTION CO.

PLANT MIXED ASPHALT • SMOOTH • SAFE • DURABLE • ECONOMICAL

3600 S.W. 10TH
P.O. BOX 75608
OKLAHOMA CITY, OK 73147
405-947-6069

September 12, 1991

U.S. Nuclear Regulatory Commission Region 4
611 Ryan Plaza Boulevard Suite 1000
Arlington, Texas 76011

Re: Licence No. 35-26889-01

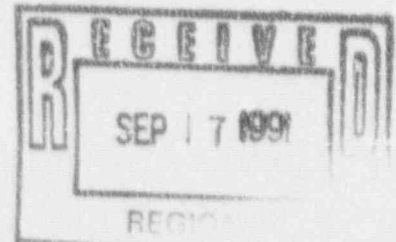
We request an amendment of the above listed license to permit the use of Troxler model 4545 density gages. The gages use Cesium 137 and Troxler Drawing Number A 102112 is applicable for the sealed source.

Enclosed is our check in the amount of \$ 380.00

Yours very truly,

Peter K.W. Wert

Peter K.W. Wert, Vice-President
Haskell Lemon Construction Co.



| | |
|-------------|----------------------------|
| Log | <i>Page 5 IV</i> |
| Remitter | <i>Haskell Lemon Const</i> |
| Check No. | <i>80435</i> |
| Amount | <i>\$ 380</i> |
| Fee Code | <i>3 P</i> |
| Type of Fee | <i>A.M.D.</i> |
| Date Check | <i>9/20/91</i> |
| Date Cashed | <i>9/25/91</i> |
| By: | <i>[Signature]</i> |

U.S. Nuclear Regulatory Commission
RECEIVED
SEP 20 1991
4:23

463880



A CORPORATION
LARRY H. LEMON, PRESIDENT
PETER K. W. WERT, VICE-PRESIDENT

ASPHALT AND F.C. PAVING
STREETS • AIRPORTS • SUBDIVISIONS