

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.

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
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
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)

Summers Construction Co., Inc.
P.O. Box 207
Glenville, WV 26147

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

Route 76, Box 34H, Glenville, WV 26351 and at temporary job sites throughout the State of West Virginia.

4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

Mark S. Mallamo, C.E.

TELEPHONE NUMBER

304-462-8616

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

TYPED/PRINTED NAME

TITLE

DATE

Mark S. Mallamo

Mark S. Mallamo

Radiation Safety Officer
Project Engineer

3/2/87

14. 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)

c. NUMBER OF BEDS

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)

☐ YES

☐ NO

FOR NRC USE ONLY

TYPE OF FEE	FEE LOG	FEE CATEGORY	COMMENTS
App	760-311	3P	
AMOUNT RECEIVED	CHECK NUMBER		
\$230	0001109		

APPROVED BY
M. Messier
DATE
3/16/87

8710060303 870421
REG2 LIC30
47-24896-01 PDR

Received 3/12/87
PG Reg II

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

APPLICATION FOR MATERIAL LICENSE
Items 5 through 11

Item 5. RADIOACTIVE MATERIAL

- I. a) Cs-137 b) Special form c) Not to exceed 9 mCi/source.
II. a) Am-241:Be b) Special form c) Not to exceed 44 mCi/source.

Item 6. PURPOSE FOR WHICH LICENSED MATERIAL WILL BE USED.

To be used in Troxler model 3400 Series Surface Moisture/Density Gauge; used in bridge and highway construction.

Item 7. INDIVIDUAL RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING AND EXPERIENCE.

Mark S. Mallamo will be Radiation Safety Officer for the company. He attended a Troxler Nuclear Gauge training course while employed by Triad Engineering Consultants in 1984. He plans to attend the course again in April 1987 in order to stay apprised of any regulation changes. He has worked extensively with Model 3400 Series gauges for the past 3 years and has limited experience with Model 3200 Series gauges. Mr. Mallamo is a graduate of The West Virginia University College of Engineering and holds a bachelor's degree in Civil Engineering.

Item 8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTLY RESTRICTED AREAS.

Each person using the Nuclear Moisture/Density Gauge shall take the Troxler Training Seminar or its equivalent.

Item 9. FACILITIES AND EQUIPMENT.

See attached sheet for sketch and data.

Item 10. RADIATION SAFETY PROGRAM.

I. Radiation Safety Officer

A. Mark S. Mallamo 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 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 described 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.
4. To maintain the records as required by the license and the regulations. These records shall include personnel exposure, 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 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 guage should be fastened and locked to the truck bed.
2. The guage will be transported in the Troxler transportation case. The U.S. Dept. of Transportation requires that the guage 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 guage.

B. Utilization Procedures

1. When the guage is in the field, you as the authorized user must maintain control over the guage at all times. The guage must never be left unattended.
2. When not making measurements, the guage should be placed in the transportation case and returned to its permanent storage area as soon as possible. The guage is to be used for its intended purpose only. By doing so, you will maintain any radiation exposure to 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 guage. During any maintenance, you must wear your personnel monitoring device.
2. No maintenance will be performed in which the radioactive source is removed from the guage. For this type of maintenance, the guage will be returned to the manufacturer.
3. Leak test will be performed using the Troxler Model 3880 Leak Test Kit. The leak test will be performed using the manufacturer's instructions. Again, the personnel monitoring device will be worn. Gauges will be leak tested at intervals not to exceed 6 months.

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 established.
3. A visual inspection of the gauge is to be made to determine if the source housing and/or shielding has been damaged.
4. At the earliest possible time, when the situation is under control, you must contact MARK S. MALLAMO at (office) 304-462-8616 or (home) 304-598-0086. Describe the present conditions and follow the instructions of the Radiation Safety Officer.

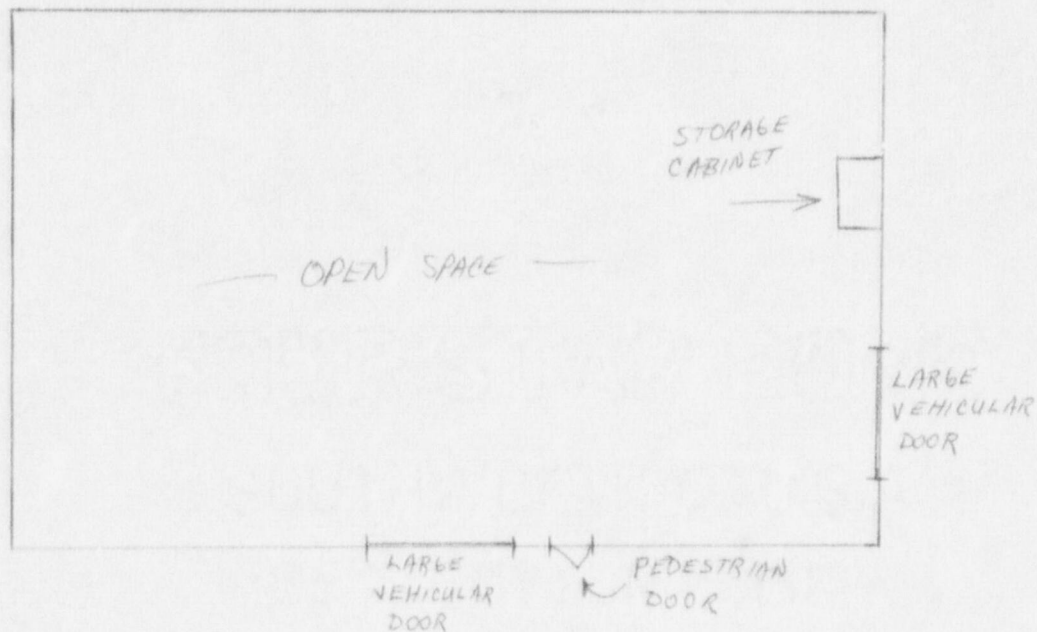
B. In the event the gauge is lost or stolen, immediately notify the Radiation Safety Officer as listed above in Item 3.A.4.

Item 11. WASTE MANAGEMENT.

No waste is generated by this gauge, but in the event we find no further use for it or it becomes inoperable, we will either transfer the gauge to another licensed user, a licensed burial ground or return it to the manufacturer.

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- Item 9. The Troxler 3411-B Nuclear Moisture/Density Gauge will be stored in an unoccupied storage building in a locked cabinet. Keys to the cabinet will be held by Mark Mallamo (Radiation Safety Officer) and Marion Summers (Company President).



W.V. STATE ROUTE 5
POSTAL DELIVERY ROUTE 76
BOX 34H
GLENVILLE WV 26351