



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
2443 WARRENVILLE RD. SUITE 210
LISLE, IL 60532-4352

August 20, 2021

Bryan J. Styburski
Radiation Safety Officer
Wightman & Associates, Inc.
2303 Pipestone Rd.
Benton Harbor, MI 49022

Dear Mr. Styburski:

I am reviewing your application dated June 29, 2021 (ML21181A375), requesting the renewal of U.S. NRC Materials License No. 21-20020-01.

The NRC's guidance document for your proposed type of license, which I refer to below as "the guidance", is NUREG-1556, Volume 1, Rev. 2, dated June 2016, "Consolidated Guidance About Materials Licenses - Program Specific Guidance About Portable Gauge Licenses." This guidance is available on the NRC Web site at:

<https://www.nrc.gov/docs/ML1617/ML16175A375.pdf>

Upon review of your application, I identified the following areas requiring additional or clarifying information:

1. Section 8.13, "Item 13: Certification," specifies that a representative of the legal entity filing the application must sign and date the [NRC Form 313, "Application for Materials License."](#) The representative signing the application must be authorized to make binding commitments and to sign official documents on behalf of the applicant (i.e., a certifying official).

You signed the submitted application for license renewal. Though, your title is not recognized as that of a certifying official (i.e., President, Director or Branch Manager). Further, note that the digital signature applied was not a verifiable digital signature.

Therefore, please revise and submit the application bearing the signature of Matt Davis, President, or that of another certifying official. If the certifying official elects to sign the application using a digital signature, please ensure that the digital signature is valid and verifiable. For additional information, you may refer to Chapter 3, "Management Responsibility," of the guidance.

2. Section 8.10.7, "Leak Tests," of the guidance identifies that the U.S. NRC requires testing to determine whether there is any radioactive leakage from the sealed source in the portable gauging device. Leak tests must be conducted by an organization licensed by the U.S. NRC or an Agreement State that does not exceed the maximum interval specified in the device's SS&D Registry Sheet. Licensees must also maintain records of leak test results.

In your application, you requested to implement the Model Leak Test Program published in Appendix I of the guidance, which allows licensees to collect and perform the analysis of sealed source leak tests.

Identify the individuals who will independently perform leak test analysis. Include documentation of their radiation safety training and experience, including on-the-job training and experience. Further, describe the facilities and equipment to be used to perform leak test analysis as indicated in the guidance included in Appendix I.

3. Section 8.7.1, "Radiation Safety Officer," of the guidance identifies that the RSO is responsible for the oversight of licensed operations. The RSO must have sufficient organizational authority and management prerogative to enforce appropriate radiation protection rules, standards, and practices.

Your application included a Delegation of Authority signed by a management representative. Upon review, the digital signature applied to the Delegation of Authority was not a verifiable digital signature.

Resubmit the Delegation of Authority with a verifiable digital signature. A model Delegation of Authority is provided in Appendix D, "Typical Duties and Responsibilities of the Radiation Safety Officer," of the guidance. The completed Delegation of Authority should be signed by yourself and a management representative. Include the printed name, title, and date for each individual signing.

4. Section 8.9, "Facilities and Equipment," of the guidance identifies that applicants must provide a facility diagram for each permanent portable gauge storage location.

The submitted facility diagrams depicting your facilities do not provide all information relevant to public dose and security as discussed in Sections 8.10.5, "Public Dose," and 8.10.6, "Operating, Emergency, and Security Procedures," of the guidance.

Please resubmit the facility diagrams identifying all adjacent areas to your facilities (parking lot, neighboring buildings, streets, etc.). If your facility is a multistory and/or multitenant building, identify all floors and their uses, including areas occupied by other tenants. If the gauges are stored in a cabinet or similar container, submit a diagram and description of the container and describe how it is secured to prevent its removal.

As depicted in Figure 8-4, "Storing Gauges," of Section 8.10.5 of the guidance, gauges should be stored away from occupied areas. Further, Title 10 Code of Federal Regulations (10 CFR) §30.34(i) requires that portable gauges must be secured against unauthorized removal using a minimum of two independent physical controls that form tangible barriers.

In accordance with 10 CFR §2.390 of the NRC's "Rules of Practice," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <https://www.nrc.gov/reading-rm/adams.html>.

To continue review of your application, I request that you submit your response to this letter within 30 calendar days from the date of this letter. In your response, please refer to the license, docket, and control number specified below. I will assume that you do not wish to further pursue this licensing action if I do not receive a reply within the specified timeframe noted above.

B. Styburski

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If you have questions, require additional time to respond, or require clarification on any of the information stated above, I encourage you to contact me at Jason.Kelly@nrc.gov or at (630) 829-9737.

Sincerely,

Jason M. Kelly, MPH
Health Physicist
Materials Licensing Branch

Docket No.: 030-17655
License No.: 21-20020-01
Control No.: 627161