



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

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

October 14, 2021

Craig A. Jansen, P.E.
Practice Leader
Capital Consultants, Inc.
106 W. Allegan St., Ste. 500
Lansing, MI 48933

Dear Mr. Jansen:

I have reviewed your letter dated October 13, 2021, requesting an amendment to U.S. Nuclear Regulatory Commission (NRC) Materials License No. 21-24979-01.

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 letter, I identified the following areas where additional or clarifying information is needed:

1. Section 8.7.1, "Radiation Safety Officer," of the guidance states that the appointed RSO must have adequate training and experience. This is necessary so that the RSO understands the hazards and is familiar with the regulations concerning the licensed radioactive material.

The request did not include documentation demonstrating the completion of supervised hands-on experience with portable gauging devices.

Submit documentation demonstrating that the proposed RSO has completed a portable gauge manufacturer's course for users and RSOs, with hands-on experience. An equivalent course meeting the requirements of Appendix C, "Criteria for Acceptable Training Courses for Portable Gauge Users," is also acceptable. If applicable,

2. Section 8.10.9, "Transportation," of the guidance identifies that initial and recurrent training must be given to all HAZMAT employees who perform transport functions for portable gauges, per the requirements of Subpart H, "Training," of Title 49 Code of Federal Regulations Part 172.

The request did not include documentation demonstrating the completion of HAZMAT Employee training.

While the proposed RSO may not routinely transport portable gauging devices, completion of HAZMAT Employee Training is typically needed to ensure that the proposed RSO can transport portable gauging devices in the event of an emergency or other unusual event. If applicable, submit documentation demonstrating that the proposed RSO has completed HAZMAT Employee Training.

In accordance with Title 10 Code of Federal Regulations §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, we request that you submit your response to this letter within 15 calendar days from the date of this letter. In your response, please refer to the license, docket, and control number specified below. We will assume that you do not wish to further pursue this licensing action if we do not receive a reply within the specified timeframe noted above.

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

Sincerely,

Jason M. Kelly, MPH
Health Physicist
Materials Licensing Branch

Docket No.: 030-30042
License No.: 21-24979-01
Control No.: 628839