



UNITED STATES
NUCLEAR REGULATORY COMMISSION

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

January 25, 2022

John Cima
Radiation Safety Officer
Houghton County Road Commission
P.O. Box 269
Hancock, MI 49930

Dear Mr. Cima:

I am reviewing your application received on September 13, 2021, in which you requested the renewal of U.S. Nuclear Regulatory Commission (NRC) Materials License No. 21-26317-01.

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. Item 1 of the submitted NRC Form 313, "Application for Materials License," did not include your complete license number. It appears that your complete U.S. NRC License Number is 21-26317-01. Please confirm that this is the correct U.S. NRC License Number that you are seeking to renew.
2. Section 8.3, "Address(es) where Licensed Material will be Used or Possessed," of the guidance and Item 3 of the NRC Form 313 (Application for Materials License), require that you specify the address where licensed materials will be used or possessed. For portable gauge applicants, it is common for "temporary job sites" to be included in the request.

Your application provides an address for the use and possession of licensed material. Though, there is no indication that you intend to use portable gauging devices at temporary job sites.

If applicable, please clearly state in Item 3 of the application if you intend to use and possess licensed material at temporary job sites in addition to the address provided. If seeking authorization to use temporary job sites, the guidance identifies that the address may be stated as, "temporary jobsites anywhere in the U.S. where the NRC maintains jurisdiction."

3. Section 8.8.1, "Authorized Users," of the guidance, states that individual gauge users must have adequate training and experience in the use of portable gauging devices. Acceptable training and experience may include either:

- the completion of a portable gauge manufacturer's course for users and hands-on training in the use of portable gauges; or
- an equivalent course that meets the criteria in Appendix C of the guidance.

Your application identified that alternative procedures were attached. Though, no alternative procedures were included with your application.

The "Response from Applicant," section of the guidance, specifies that either of the following responses may be provided:

- the statement, "Before using licensed materials, authorized users will have successfully completed one of the training courses described under "Criteria" in the section titled "Training for Individuals Working in or Frequenting Restricted Areas" in NUREG-1556, Volume 1, Revision 2, 'Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Portable Gauge Licenses.'; or
- provide a description of the training for proposed authorized users.

Please submit an acceptable response. For additional information, please refer to Section 8.8, "Item 8: Training for Individuals Working In or Frequenting Restricted Areas," and Appendix C, "Criteria for Acceptable Training Courses for Portable Gauge Users," of the guidance.

4. Section 8.10.6, "Operating, Emergency and Security Procedures," of the guidance states that applicants must develop, implement, and maintain Operating, Emergency, and Security Procedures.

Your application failed to include complete Operating, Emergency and Security Procedures, which should include all of the following components:

- Instructions for using the portable gauge and performing routine maintenance according to the manufacturer's recommendations and instructions;
- Instructions for maintaining security during storage and transportation;
- Instructions to keep the gauge under control and constant surveillance during field operations;
- Steps to take to keep radiation exposures ALARA;
- Steps to maintain accountability during use;
- Steps to control access to a damaged gauge; and
- Steps to take and whom to contact when a gauge has been damaged

Acceptable procedures are included in Appendix G, "Operating, Emergency and Security Procedures," of the guidance. In your response, you may state that you will implement and maintain the aforementioned procedures, or you may state that you will develop, implement and maintain equivalent procedures satisfying the criteria identified in Section 8.10.6 of the guidance, or provide alternative procedures.

5. 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 (e.g., Commissioner, Superintendent or Manager).

Therefore, please revise and submit the application bearing the signature of a certifying official. For additional information, you may refer to Chapter 3, "Management Responsibility," of the guidance.

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 20 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.

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.: 030-32245
License No.: 21-26317-01
Control No.: 628531