

~~Official Use Only – Security Related Information~~



UNITED STATES
NUCLEAR REGULATORY COMMISSION

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

January 31, 2023

Rachel Stieferman
Quality Control Technician / Radiation Safety Officer
Capital Materials LLC
117 Commerce Dr.
Jefferson City, MO 65109

SUBJECT: RENEWAL OF RADIOACTIVE MATERIALS LICENSE FOR CAPITAL
MATERIALS LLC, U.S. NRC LICENSE NO. 24-32390-01

Dear Ms. Stieferman:

Enclosed is Amendment No. 12 renewing your U.S. Nuclear Regulatory Commission (NRC) Materials License No. 24-32390-01, in accordance with your application dated July 5, 2022, letter received December 9, 2022, including the accompanying revised application dated December 9, 2022, signed by Darryl Winegar, QC Director, and your letter dated January 31, 2023.

This license amendment reflects continuing authorization to possess, use or acquire the Seaman Nuclear Corporation Model C-200 and C-300 portable gauging devices in accordance with your request.

Authorization for the Seaman Nuclear Corporation Model C-200 and C-300 portable gauging devices is now separately listed in Items 6, 7, 8 and 9, Subparts A and B. The compatible radium-226:beryllium sealed source authorized for use with the Seaman Nuclear Corporation C-200 portable gauging device is limited to the Radium Chemical Company Model RAN-W25 sealed source.

Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify me at (630) 829-9737 or via electronic mail at Jason.Kelly@nrc.gov so that appropriate corrections or answers can be provided.

An environmental assessment for this action was not required, since this action is categorically excluded under [Title 10 of the Code of Federal Regulations \(10 CFR\) §51.22\(c\)\(14\)](#).

Please be advised that your license expires at the end of the day in the month and year stated in the license. Until your license has been terminated, you must conduct your program in accordance with the conditions of your license, representations made in your license application, and U.S. NRC regulations. In particular, note that you must:

1. Operate in accordance with U.S. NRC regulations [10 CFR Part 19, "Notices, Instructions and Reports to Workers: Inspections and Investigations,"](#) [10 CFR Part 20, "Standards for Protection Against Radiation,"](#) [10 CFR Part 30, "Rules of General Applicability to Domestic Licensing of Byproduct Material,"](#) and other appropriate regulations.
2. Notify the U.S. NRC in writing 30 days in advance of any change in mailing address.

The enclosed document contains sensitive security-related information.
When separated from this cover letter this letter is uncontrolled.

~~Official Use Only – Security Related Information~~

R. Stieferman

-2-

3. In accordance with [10 CFR §30.36\(d\)](#), notify the U.S. NRC promptly, in writing, within 60 days and request termination of the license:
 - a. When you decide to terminate all activities involving materials authorized under the license whether at the entire site or any separate building or outdoor area;
 - b. If you decide not to acquire or possess and use authorized material; or
 - c. When no principal activities under the license have been conducted for a period of 24 months.
4. Request and obtain a license amendment before you:
 - a. Change Radiation Safety Officers;
 - b. Order byproduct material in excess of the amount, or radionuclide, or form different than authorized on the license;
 - c. Add or change the areas of use or address or addresses of use identified in the license application or on the license; or
 - d. Change the name or ownership of your organization.
5. Submit a complete renewal application or termination request at least 30 days before the expiration date of your license. You will receive a reminder notice approximately 60 days before the expiration date. Possession of byproduct material after your license expires is a violation of U.S. NRC regulations.

You will be periodically inspected by the U.S. NRC. 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, or Imposition of a Civil Penalty, or an Order Suspending, Modifying or Revoking your license as specified in the U.S. NRC Enforcement Policy. The U.S. NRC Enforcement Policy is available at: <http://www.nrc.gov/reading-rm/doc-collections/enforcement/>.

An electronic version of the U.S. NRC's regulations is available on the NRC website at: www.nrc.gov. Additional information regarding use of radioactive materials may be obtained on the NRC website at: <http://www.nrc.gov/materials/miau/mat-toolkits.html>. This site also provides the link to the toolbox for updated information on the revised regulations for naturally-occurring and accelerator-produced radioactive materials (NARM).

Please be aware that, as a holder of a U.S. NRC license, you may be subject to the NRC's licensing and inspection fees in accordance with [10 CFR Part 170](#), and annual fees in accordance with [10 CFR Part 171](#). If you have any questions concerning the fee requirements, please contact the License Fee and Accounts Receivable Branch at (301) 415-7544.

R. Stieferman

-3-

The U.S. NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency's *expectations* for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture website at <https://www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html>. I encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in U.S. NRC-regulated activities.

The U.S. NRC's [Regulatory Issue Summary \(RIS\) RIS 2005-31](#) provides criteria to identify security related sensitive information and guidance for handling and marking of such documents. This ensures that potentially sensitive information is not made publicly available through the U.S. NRC's ADAMS, the U.S. NRC's electronic document system. Pursuant to the U.S. NRC's RIS 2005-31 and in accordance with [10 CFR §2.390](#) of the U.S. NRC's "Rules of Practice and Procedure," the enclosed license document is exempt from public disclosure because its disclosure to unauthorized individuals could present a security vulnerability. The RIS may be located on the U.S. NRC's Generic Communications Web page under "Regulatory Issue Summaries" at <https://www.nrc.gov/reading-rm/doc-collections/gen-comm/>, and the link for frequently asked questions regarding protection of security-related sensitive information may be located at <https://www.nrc.gov/reading-rm/sensitive-info/faq.html>.

A copy of this letter will be available electronically for public inspection in the U.S. NRC Public Document Room or from the U.S. NRC's ADAMS, accessible from the U.S. NRC website at <https://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

Jason M. Kelly, MPH
Health Physicist
Materials Licensing Branch

Docket No.: 030-35988
License No.: 24-32390-01

Enclosure: Amendment No. 12 to U.S. NRC Materials License No. 24-32390-01