UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, ILLINOIS 60532-4352

JAN 17 2012

Robert M. Wester
Radiation Safety Officer
R.M. Wester and Associates, Inc.
215 Indacom Drive
St. Peters, MO 63376

Dear Mr. Wester:

Enclosed is Amendment No. 23 amending your NRC Material License No. 24-20091-01 in accordance with your request. Please note that the changes made to your license are printed in **bold** font.

Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region III office at (630) 829-9887 so that we can provide appropriate corrections and answers.

Please note, we have not authorized Ken Adelman as an authorized user and have not authorized the broad range of radionuclides because we need additional information and clarification as described in the enclosed ,"Request for Additional Information". Please submit your response as additional information to **mail control 576314**.

You will be periodically inspected by 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 General Statement of Policy and Procedure for NRC Enforcement Actions. Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken when dealing with licensees who do not achieve the necessary meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

NRC's Regulatory Issue Summary (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 ADAMS, the NRC's electronic document system. Pursuant to NRC's RIS 2005-31 and in accordance with 10 CFR 2.390, 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 NRC Web site at: http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2005/ri200531.pdf and the link for frequently asked questions regarding protection of security related sensitive information may be located at: http://www.nrc.gov/reading rm/sensitive info/faq.html.

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

R.M. Wester

A copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). The NRC's document system is accessible from the NRC Web site at http://www.nrc.gov/reading-rm/adams.html (the Public Electronic Reading Room).

Sincerely,

William P. Reichhold

William P. Reichhold
Materials Licensing Branch

License No. 24-20091-01
Docket No. 030-17951

Enclosure: Amendment No. 23

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

REQUEST FOR ADDITIONAL INFORMATION

Telephone (630) 829-9839
FAX (630) 515-1078

To: Robert M. Wester, Radiation Safety Officer
Location: R. M. Wester, and Associates, Inc. , NRC License 24-20091-01
Date: January 12, 2012

Authorized Use

You are already authorized for the following:

Possession incident to recycling and temporary storage of sealed sources that have been registered pursuant to Section 32.210 of 10 CFR Part 32 or equivalent Agreement State regulations for use in, but not limited to, Ronan Engineering, Campbell Pacific Nuclear, Troxler, Ohmart, Filtec, Kay-Ray, Accuray, Texas Nuclear, Heuft USA, Inc., Isotope Products, DuPont, ABB, Inc., Amersham, NSSI, Gulf Nuclear, Monsanto Research Corporation, Reuter Stokes, General Electric, AEA Technologies, Alnor, NRD Manufacturers, New England Nuclear, Republic Steel Corporation, Valmet Corporation, E.S.C. Resources, Loral, Humboldt, Texas Nuclear, Niton, Process Technologies, Data Management Corporation and Apagee Corporation devices.

For cesium-137 and americium-241.

Please clarify your request. Please specify which companies use a broad range of radionuclides such as any byproduct material with atomic numbers 1-98 for their gauging devices.

Authorized User

Please provide additional information regarding the training and experience for Ken Adelman. From the information submitted, it appears he may have had some experience with radionuclides, however, please provide additional information regarding his training and experience. Please see Appendix H for training for users from NUREG-1556, Volume 18. Also, please confirm that Ken Adelman has completed the training and experience as described in Appendix H.

Please resubmit your request as additional information to **mail control 576314.**

Please call me at 630-829-9839 if you have any questions.

From the desk of
Bill Reichhold
Bill Reichhold

Consideration should be given to how individuals temporarily delegated the duties and tasks of the absent RSO could contact the RSO in the event of an emergency.

When management selects an RSO, they should keep in mind the duties and responsibilities of the position, and select an individual who is qualified to serve as the RSO. The RSO will need a basic technical knowledge sufficient to understand, in general, the majority of the work being done with licensed materials under his or her responsibility. The individual selected as RSO should have sufficient training and experience to perform the duties required by his or her position. Executive management should ensure that the RSO has sufficient time is allocated to carry out the responsibilities of the position.

Response from Applicant: Provide the following:

- The name of the proposed RSO who will be responsible for ensuring that the licensee's radiation safety program is implemented in accordance with approved procedures.

AND

- Demonstrate that the RSO has sufficient independence and direct communication with responsible management officials by providing a copy of an organizational chart by position, demonstrating day-to-day oversight of the radiation safety activities.

AND EITHER

- The specific training and experience of the RSO.
- Include the specific dates of training in radiation safety.

OR

- Alternative information demonstrating that the proposed RSO is qualified by training and experience (e.g., Board Certification by the American Board of Health Physicists, completion of a bachelor's and/or master's degree in the sciences with at least one year of experience in the conduct of a radiation safety program of comparable size and scope).

Note: It is important to notify NRC, as soon as possible, typically within 30 days, of changes in the designation of the RSO. The name and qualifications of the replacement RSO must be submitted to NRC as part of an amendment request. Applicants should review the regulations for program areas which have specific requirements regarding changes in the RSO.

8.7.2 AUTHORIZED USERS

Regulations: 10 CFR 19.11; 10 CFR 19.12; 10 CFR 19.13; 10 CFR 30.33(a)(3); 10 CFR 30.34(e); 10 CFR 40.32; 10 CFR 70.22.

Criteria: Authorized users (AUs) must have adequate training and experience to use, possess, or provide services involving licensed materials. Duration of training and experience should be commensurate with the expected hazards service provider personnel may encounter during routine and emergency conditions. Successful completion of training as described in Appendix H is evidence of adequate training and experience. Experience requirements could consist of on-the-job training done under the supervision of a qualified individual (AU, RSO, or manufacturer's representative that is authorized by NRC or an Agreement State for the purpose(s) or activities that will be authorized in the license, when issued.).

Frequency of Training

Discussion: An AU is a person whose training and experience meet NRC criteria specified in Appendix H, who is named either explicitly or implicitly on the license, and who uses or directly supervises the use of licensed materials. An AU must ensure the proper use of licensed materials possessed under the license. AUs must have training to provide reasonable assurance that they will use, possess, or provide services involving licensed materials in a safe manner, maintain security, prevent unauthorized access, and respond appropriately to emergencies. The classroom part of the training for AUs could range from a few hours to several days or more.

An AU is considered to be supervising the use of licensed material when he or she directs personnel in operations involving licensed material. Although the AU may delegate specific tasks to supervised users (e.g., maintaining records, conducting routine maintenance), the AU remains responsible for safe use of licensed material. An individual's supervised hands-on experience should be adequate to address routine licensed activities and include a discussion or drill on emergency procedures.

Response from Applicant: Provide either of the following:

- The statement: "Before using licensed material, authorized users will receive the training described in Appendix H in NUREG-1556, Vol. 18, 'Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Service Provider Licenses,' dated November 2000."

OR

- A description of the training and experience for proposed authorized users.

Note: Alternative response will be evaluated using the criteria listed above.

8.7.3 ANCILLARY PERSONNEL

Regulations: 10 CFR 19.11; 10 CFR 19.12; 10 CFR 19.13; 10 CFR 30.7; 10 CFR 30.9; 10 CFR 30.10; 10 CFR 30.33.

Appendix H

Criteria for Acceptable Training and Experience for Authorized Users

Criteria for Acceptable Training and Experience for Authorized Users

Classroom Training

Classroom training may be in the form of lecture, videotape, or self-study that emphasize practical subject matter important to the safe handling of licensed materials. Duration and technical level of training should be commensurate with the expected hazards encountered during routine and emergency conditions.

Frequency of Training

- Before assuming duties with, or in the vicinity of, radioactive materials;
- Whenever there is a significant change in duties, regulations, or the terms and conditions of the license;
- Annually for refresher training.

Suggested Radiation Safety Topics

- Fundamentals of Radiation Safety:
  - — Characteristics of radiation;
  - — Units of radiation dose and quantity of radioactivity;
  - — Hazards of exposure to radiation;
  - — Levels of radiation from licensed material;
  - — Methods of controlling radiation dose (time, distance, and shielding);
  - — ALARA concept.
- Radiation Detection Instruments:
  - — Operation;
  - — Calibration;
  - — Limitations of radiation survey instruments;
  - — Radiation survey techniques for measuring radiation field;
  - — Radiation survey techniques for measuring removable/fixed contamination;
  - — Handling and proper use of personnel monitoring equipment.

- Radiation Protection Equipment and Use:
  - — Proper use of protective equipment;
  - — Decontamination of contaminated protection equipment.
- NRC regulations (10 CFR 19 and 20).
- NRC regulations (10 CFR 31, 32, 34, 35, 36, 39, 40, 70, and 71) as applicable.
- Licensee's operating and emergency procedures.
- Case histories relevant to operations.
- Course Examination (Didactic):
  - — Successful completion of closed-book written/oral examination depending on the complexity and hazards of authorized activities;
  - — Review of incorrect answers with student.
- On-the Job Training and Examination (Practical):
  - — On-the-job training done under the supervision of a qualified individual (AU, RSO, or manufacturer's representative authorized by NRC or an Agreement State) that includes supervised hands-on experience performing the task authorized on the license that are commensurate with the expected hazards during routine and emergency conditions;
  - — Practical examination consisting of an assessment by the RSO to ensure that each proposed AU is qualified to work independently and that each individual is knowledgeable of the radiation safety aspects of licensed activities. This may be demonstrated by observing the proposed AU perform licensed activities.
- Discussion and/or drill on emergency procedures.
- Retraining on areas found to be deficient in both the practical and didactic areas.

Classroom Course Instructor Qualifications

The person conducting the training should be a qualified individual (e.g., a person who meets the qualifications for RSO or authorized user on the license and is familiar with the licensee's program). Instructors who provide classroom training to individuals in the principles of radiation and radiation safety should have knowledge and understanding of these principles beyond those obtainable in a course similar to the one given to prospective authorized users. Individuals who provide instruction in the hands-on use of licensed materials should have training and experience that would qualify them to be authorized users, or should possess a thorough understanding of the licensee operations.