

January 20, 1999

Freelance Technical Associates, Inc.
ATTN: Danny L. Bainbridge
President
207 Fairmont Avenue
Fairmont, West Virginia 26554

SUBJECT: TRANSMITTAL AND EXPLANATION OF LICENSE NO. 47-25453-01
(REFERENCE CONTROL NO. 258160; DOCKET NO. 030-34879)

Dear Mr. Bainbridge:

Enclosed please find your new NRC materials license.

This license has been written in the format in NUREG-1556, Volume 1, Consolidated Guidance About Materials Licenses, Program Specific Guidance About Portable Gauge Licenses, May 1997. If individuals are trained as Radiation Safety Officers in accordance with this document, no fee will be charged when amending the license to list them (see 10 CFR 170.11(a)(11)).

Please review the document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify this office (ATTN: Ms. Diane Heim at (404) 562-4723) so that we can provide appropriate corrections and answers.

Please be advised that your license expires as stated in Item 4. Unless your license has been terminated, you must conduct your program involving byproduct materials in accordance with the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate in accordance with NRC regulations 10 CFR 19, "Notices Instructions and Reports to Workers: Inspection and Investigations"; 10 CFR 20, "Standards for Protection Against Radiation"; and other applicable regulations.
2. Not possess and use materials authorized in Items 6, 7, and 8 on the license until:
 - a. you have constructed the facilities and obtained the equipment described in the license application and supporting documentation, and
 - b. you have notified the U. S. Nuclear Regulatory Commission, Region I, ATTN: Materials Licensing/Inspection Branch, that activities authorized by the license will be initiated
3. Notify NRC, in writing, within 30 days:
 - a. when an authorized user or a Radiation Safety Officer permanently discontinues performance of duties under the license or has a name change, or

- b. when the licensee's mailing address changes (no fee is required if the location of byproduct material remains the same).
- 4. In accordance with 10 CFR 30.36(d) and/or license condition, notify NRC, promptly, in writing, and request amendment or termination of the license:
 - a. when you decide to terminate all activities involving materials authorized under the license; or
 - b. when you decide to terminate licensed activities in a separate building or outdoor area identified on your license; or
 - c. if you decide not to complete the facility, acquire equipment, or possess and use authorized material.
- 5. Request and obtain a license amendment before you:
 - a. order byproduct material in excess of the amount, or a different radionuclide or form, other than authorized on the license;
 - b. add to or change the areas of use or address (or addresses) of use identified in the license application or on the license; or
 - c. change ownership of your organization.
- 6. Submit a complete renewal application with proper fee or termination request at least 30 days before the expiration date of your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of byproduct material after your license expires is a violation of NRC regulations. Transfer of licensed materials must be consistent with 10 CFR 30.41, 40.51 or 70.42, as applicable. A license will not normally be renewed, except on a case-by-case basis, in instances where licensed material has never been possessed or used.

In addition, please note that NRC Form 313 requires the applicant, by his/her signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of the applicant's knowledge. The signatory for the application should be the licensee or certifying official rather than a consultant.

The NRC is required to have your Taxpayer Identification Number in order to make payments (refunds). The self-addressed, stamped NRC Form 531, "Request for Taxpayer Identification Number," is enclosed.

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 most current version of the "General Statement of Policy and procedures for NRC Enforcement Actions," NUREG-1600. 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 against those who do not achieve the necessary attention to detail and standard of compliance expected of licensees.

Thank you for your cooperation.

Sincerely,

David J. Collins, License Reviewer
 Division of Nuclear Materials Safety

- Enclosures: 1. NRC License No. 47-25453-01
 2. NUREG-1600 (7/95); 10 CFR Parts 19; 20; 21; 30; 40 or 70, as appropriate; 71; 170; NRC Form 3; Agreement State List; NRC Form 313; and NRC Form 531

OFFICE	DNMS:RII	DNMS:RII	DNMS:RII				
SIGNATURE	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>				
NAME	DJCollins	MSLesser	CMHosey				
DATE	1/14/99	1/20/99	1/20/99	1/ /99	1/ /99	1/ /99	1/ /99
COPY?	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO

MATERIALS LICENSE

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 36, 39, 40, and 70, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

Licensee	
1. Freelance Technical Associates, Inc.	3. License No. 47-25453-01
2. 207 Fairmont Avenue Fairmont, West Virginia 26554	4. Expiration date: January 31, 2009
	5. Docket No. 030-34879

6. Byproduct, source, and/or special nuclear material	7. Chemical and/or physical form	8. Maximum amount that licensee may possess at any one time under this license
A. Cesium-137	Sealed sources registered either with NRC under 10 CFR 32.210 or with an Agreement State (Troxler Dwg. A-102112)	<input checked="" type="radio"/> Not to exceed 333 megabecquerels (MBq) (9 millicuries) per source
B. Americium-241	B. Sealed sources registered either with NRC under 10 CFR 32.210 or with an Agreement State (Troxler Dwg. A-102451)	B. Not to exceed 1.528 gigabecquerels (GBq) (44 millicuries) per source

9. Authorized use

A. and B. To be used, for measurement purposes in compatible portable Troxler Electronic Laboratories, Inc. 3400 Series and Model 3430 gauging devices that have been registered either with NRC under 10 CFR 32.210 or with an Agreement State and have been distributed in accordance with an NRC or Agreement State specific license authorizing distribution to persons specifically authorized by an NRC or Agreement State license to receive, possess, and use the devices.

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**MATERIALS LICENSE
SUPPLEMENTARY SHEET**License No.
47-25453-01Docket or Reference No.
030-34879**CONDITIONS**

10. Licensed material may be used or stored at the licensee's facilities located at 207 Fairmont Avenue, Fairmont, West Virginia, and may be used at temporary job sites of the licensee anywhere in the United States where the U.S. Nuclear Regulatory Commission maintains jurisdiction for regulating the use of licensed material.

If the jurisdictional status of a federal facility within an Agreement State is unknown, the licensee should contact the federal agency controlling the job site in question to determine whether the proposed job site is an area of exclusive Federal jurisdiction. Authorization for use of radioactive materials at job sites in Agreement States not under exclusive Federal jurisdiction shall be obtained from the appropriate Agreement State regulatory agency.

11. A. Licensed material shall only be used by, or under the supervision and in the physical presence of individuals who have successfully completed the manufacturer's training program for gauge users, have received copies of, and training in, the licensee's operating and emergency procedures, and have been designated by the Radiation Safety Officer.
- B. The Radiation Safety Officer (RSO) for this license is Gary K. Clayton.
- C. Before obtaining licensed materials, the proposed RSO will have successfully completed one of the training courses described in Criteria in Section 8.8 Item 7 "Individual(s) Responsible for Radiation Safety Program and Their Training and Experience - Radiation Safety Officer" in NUREG-1556, Vol. 1, May 1997.

Before being named as the RSO, future RSO's will have successfully completed one of the training courses described in Criteria in Section 8.8 Item 7 "Individual(s) Responsible for Radiation Safety Program and Their Training and Experience - Radiation Safety Officer" in NUREG-1556, Vol. 1, May 1997.

12. A. Sealed sources and detector cells shall be tested for leakage and/or contamination at intervals not to exceed 6 months or at such other intervals as specified by the certificate of registration referred to in 10 CFR 32.210 or by an Agreement State.
- B. In the absence of a certificate from a transferor indicating that a leak test has been made within 6 months prior to the transfer, a sealed source or detector cell received from another person shall not be put into use until tested.

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12. C. Sealed sources need not be leak tested if:

- (i) they contain only hydrogen-3; or
- (ii) they contain only a radioactive gas; or
- (iii) the half-life of the isotope is 30 days or less; or
- (iv) they contain not more than 3.7 MBq (100 microcuries) of beta and/or gamma emitting material or not more than 0,370 MBq (10 microcuries) of alpha emitting material; or
- (v) they are not designed to emit alpha particles, are in storage, and are not being used. However, when they are removed from storage for use or transferred to another person, and have not been tested within the required leak test interval, they shall be tested before use or transfer. No sealed source or detector cell shall be stored for a period of more than 10 years without being tested for leakage and/or contamination.

E. The leak test shall be capable of detecting the presence of 185 becquerels (Bq) (0.005 microcurie) of radioactive material on the test sample. If the test reveals the presence of 185 Bq or more of removable contamination, a report shall be filed with the U.S. Nuclear Regulatory Commission in accordance with 10 CFR 30.50(b)(2), and the source shall be removed immediately from service and decontaminated, repaired, or disposed of in accordance with Commission regulations. The report shall be filed within 5 days of the date the leak test result is known with the U.S. Nuclear Regulatory Commission, Region II, 61 Forsyth Street, SW, Suite 23T85, Atlanta, GA 30303, ATTN: Director, Division of Nuclear Materials Safety. The report shall specify the source involved, the test results, and corrective action taken.

F. The licensee is authorized to collect leak test samples for analysis by Troxler Electronics Laboratories, Inc. Alternatively, tests for leakage and/or contamination may be performed by persons specifically licensed by the Commission or an Agreement State to perform such services.

13. Sealed sources or detector cells containing licensed material shall not be opened or sources removed from source holders by the licensee.
14. The licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license.
15. Each portable gauge shall have a lock or outer locked container designed to prevent accidental removal of the sealed source from its shielded position. The gauge or container must be locked when in transport, storage, or when not under the direct surveillance of an authorized user.

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16. Except for maintaining labeling as required by 10 CFR Part 20 or 71, the licensee shall obtain authorization from NRC before making any changes in the sealed source, device, or source-device combination that would alter the description or specifications as indicated in the respective Certificates of Registration issued either by the Commission pursuant to 10 CFR 32.210 or by an Agreement State.
17. Any cleaning, maintenance, or repair of the gauges that requires removal of the source rod shall be performed only by the manufacturer or by other persons specifically licensed by the Commission or an Agreement State to perform such services.
18. The licensee is authorized to transport licensed material only in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
19. The licensee shall not use sealed sources or probes containing sealed sources at depths exceeding 3 feet below the surface.
20. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of licensed material to quantities below the minimum limit specified in 10 CFR 30.35(d) for establishing decommissioning financial assurance.
21. A The licensee may not possess and use materials authorized in Items 6, 7, and 8, until: (1) the licensee has constructed facilities and obtained the equipment described in the application and supporting documentation; and (2) the U.S. Nuclear Regulatory Commission, Region II, ATTN: Chief, Materials Licensing and Inspection Branch, has been notified in writing that activities authorized by the license will be initiated.
- B. In accordance with the requirements set forth in 10 CFR 30.36(b), the licensee shall promptly notify the Nuclear Regulatory Commission, in writing, of a decision not to complete the facility, acquire equipment, or possess and use authorized material.

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22. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. The Nuclear Regulatory Commission's regulations shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the regulations.

A. Application dated November 9, 1998

B. Letters dated (or received as noted):

- 1. January 19, 1999 [information about Leak Tests (kit and period); Routine and Non-routine Maintenance; name RSO and Training for RSO and future RSO's]

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

DAVID J. COLLINS



By

Region II, Division of Nuclear Materials Safety
61 Forsyth Street, SW, Suite 20785
Atlanta, GA 30303-8931

Date JAN 20 1999

11/20/98