

DL-012797-15

**Hornor**  
Since  
1902 **Bros.**

*Civil, Mining, Environmental and Consulting Engineering*

MAIN & THIRD STREETS • POST OFFICE BOX 766 • CLARKSBURG, WEST VIRGINIA 26302 • PHONE 941-623-6445 • FAX 941-623-6446

January 27, 1997

Ms. Diane Heim  
U.S. Nuclear Regulatory Commission  
101 Marietta Street, N.W., Suite 2900  
Atlanta, Georgia 30323-0199

RE: License Termination  
#47-24962-01

Dear Ms. Heim:

Hornor Brothers Engineers has transferred its lone Troxler Model 3411-B Density Testing Nuclear Gauge to Hillis-Carnes Engineering Associates (NRC License No. 19-30304-01) on January 17, 1997. Therefore, it is our desire to terminate our NRC license immediately. Enclosed for your use is the completed NRC Form 314.

Please forward a license termination agreement as soon as possible. If you have any questions or need any information, please let me know.

Yours truly,



Trey Hornor, P.E.  
Vice President  
Radiation Safety Officer

TH:db  
Enclosure

File:USNRC

100-302



10 CFR 30.36 (a) (1) (i)  
10 CFR 30.42 (c) (1) (i)  
10 CFR 70.24 (c) (1) (i)

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS MANDATORY INFORMATION COLLECTION REQUEST IS 30 MINUTES. THIS SUBMITTAL IS USED BY NRC AS PART OF THE BASIS FOR ITS DETERMINATION THAT THE FACILITY HAS BEEN CLEARED OF RADIOACTIVE MATERIAL. BEFORE THE FACILITY IS RELEASED FOR UNRESTRICTED USE, FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE INFORMATION AND RECORDS MANAGEMENT BRANCH, U.S. NUCLEAR REGULATORY COMMISSION, WASHINGTON, DC 20545-0001, AND TO THE PAPERWORK REDUCTION PROJECT DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503. AN AGENCY MAY NOT CONDUCT OR SPONSOR, AND A PERSON IS NOT REQUIRED TO RESPOND TO, A COLLECTION OF INFORMATION UNLESS IT DISPLAYS A CURRENTLY VALID OMB CONTROL NUMBER.

### CERTIFICATE OF DISPOSITION OF MATERIALS

INSTRUCTIONS: ALL ITEMS MUST BE COMPLETED IN PRINT OR TYPE. SEND THE COMPLETED CERTIFICATE TO THE NRC OFFICE SPECIFIED ON THE REVERSE.

LICENSEE NAME AND ADDRESS

**HORNER BROTHERS ENGINEERS**  
P.O. Box 386  
CLARKSBURG, WEST VIRGINIA  
26302-0386

LICENSE NUMBER

47-24962-01

LICENSE EXPIRATION DATE

SEPTEMBER 30, 1997

#### A. MATERIALS DATA (Check one and complete as necessary)

THE LICENSEE OR ANY INDIVIDUAL EXECUTING THIS CERTIFICATE ON BEHALF OF THE LICENSEE CERTIFIES THAT  
(Check and/or complete the appropriate item(s) below.)

- 1. NO MATERIALS HAVE EVER BEEN PROCURED OR POSSESSED BY THE LICENSEE UNDER THIS LICENSE.
- OR
- 2. ALL ACTIVITIES AUTHORIZED BY THE LICENSE HAVE CEASED AND ALL MATERIALS PROCURED AND OR POSSESSED BY THE LICENSE NUMBER CITED ABOVE HAVE BEEN DISPOSED OF IN THE FOLLOWING MANNER. (If additional space is needed, use the reverse side or provide attachments.)

Describe specific material transfer actions and, if there were radioactive wastes generated in terminating this license, the disposal actions including the disposition of low-level radioactive waste, mixed waste, Greater-than-Class C waste, and spent sources, if applicable.

For transfers, specify the date of the transfer, the name of the licensee recipient, and the recipient's NRC license number or Agreement State name and license number.

**OUR SINGLE TROTLER MODEL 3411-B NUCLEAR TESTING DENSITY GAUGE WAS TRANSFERRED TO THE FOLLOWING RECIPIENT ON JANUARY 17, 1997: HILLIS - CARMS ENGINEERING ASSO. (c/o DUANE S. SCHNESTAG), 12011 GUILFORD ROAD, SUITE 106, ANNAPOLIS JUNCTION, MARYLAND, 20701. NRC LICENSE # 19-30304-01**

If materials were disposed of directly to a licensee rather than transferred to another licensee, licensee, licensed disposal site or waste contractor, describe the specific disposal measures (e.g., decontamination, storage).

#### B. OTHER DATA

- 1. OUR LICENSE HAS NOT YET EXPIRED. PLEASE TERMINATE.
- 2. A RADIATION SURVEY WAS CONDUCTED BY THE LICENSEE TO CONFIRM THE ABSENCE OF LICENSED MATERIALS AND TO DETERMINE WHETHER ANY CONTAMINATION REMAINS ON THE PREMISES COVERED BY THE LICENSE. (Check one.)  
 NO. (Attach explanation) **THE NUCLEAR GAUGE HAD BEEN IN SAFE OFFICE STORAGE SINCE JUNE 1994 AND ALL SUBSEQUENT LEAK TESTS HAVE NOT INDICATED A LEAKAGE PROBLEM. THEREFORE, THERE IS NO REASON TO SUSPECT ANY CONTAMINATION.**  
 YES. THE RESULTS (Check one) \_\_\_\_\_ ARE ATTACHED TO \_\_\_\_\_ WERE FORWARDED TO NRC ON \_\_\_\_\_ DATE.

3. THE PERSON TO BE CONTACTED REGARDING THE INFORMATION PROVIDED ON THIS FORM: **TREY HORNER** 304 624-6445

4. MAIL ALL FUTURE CORRESPONDENCE REGARDING THIS LICENSE TO: **TREY HORNER, HORNER BROTHERS ENGINEERS, P.O. Box 386, CLARKSBURG, WV 26302**

#### CERTIFYING OFFICIAL

CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

PRINTED NAME AND TITLE

**TREY HORNER**  
RADIATION SAFETY OFFICER

SIGNATURE

*Trey Horner*

DATE

1/27/97

WARNING: FALSE STATEMENTS IN THIS CERTIFICATE MAY BE SUBJECT TO CIVIL AND/OR CRIMINAL PENALTIES. NRC REGULATIONS REQUIRE THAT SUBMISSIONS TO THE NRC BE COMPLETE AND ACCURATE IN ALL MATERIAL RESPECTS. 18 U.S.C. SECTION 1001 MAKES IT A CRIMINAL OFFENSE TO MAKE A WILLFULLY FALSE STATEMENT OR REPRESENTATION TO ANY DEPARTMENT OR AGENCY OF THE UNITED STATES AS TO ANY MATTER WITHIN ITS JURISDICTIONS.

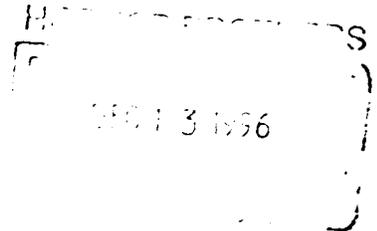
U. S. NUCLEAR REGULATORY COMMISSION  
 FY 97 Annual Materials Fee Invoice  
 Period 10/1/1996 - 9/30/1997  
 10 CFR 171.16

Invoice Date  
 =====  
 12/16/1996

License Anniversary Month  
 =====  
 December

Invoice Number  
 =====  
 AM1165-97

HORNOR BROTHERS ENGINEERS  
 ATTENTION: RADIATION SAFETY OFFICER  
 P.O. BOX 386  
 CLARKSBURG WV 26302-0386



\*\*\*\*\* Mark THIS COPY with any billing address changes \*\*\*\*\*

License/Approval/ Registration/ Certificate Number	Code	Annual Fee Category(s)	Fee Amount
=====	=====	=====	=====
47-24962-01	AA905 ANN	3P	\$ 1,600.00
		TOTAL:	\$ 1,600.00
		TOTAL INVOICE:	\$ 1,600.00

If paid by Fedwire see attached Terms and Conditions. If paid by check, make check payable to the NRC (reference invoice no.) and mail to:

=====

U.S. Nuclear Regulatory Commission <=== This PO Box address is  
 License Fee & Accounts Receivable Branch <=== for receipt of payments  
 P.O. Box 954514 <=== only.  
 St. Louis, MO 63195-4514

For terms and conditions see attached.  
 Payment must be received within 30 days of the date of this invoice to avoid late charges.  
 Questions: call 301/415-7554

*Handwritten:* Paid 12/17/96

\*\*\*\*\*  
 \* PAYMENT \*  
 \*\*\*\*\*

==> To ensure accurate credit, return this copy of the  
 ==> invoice with your payment. Processing may be  
 ==> delayed if the invoice is not returned.

The minimal information requested for this certification does not constitute an information collection and, therefore, does not require OMB approval

NRC FORM 626  
(10 96)  
10 CFR 171

U.S. NUCLEAR REGULATORY COMMISSION

**CERTIFICATION OF SMALL ENTITY STATUS FOR THE PURPOSES  
OF ANNUAL FEES IMPOSED UNDER 10 CFR PART 171  
FY 1997**

**SEE IMPORTANT INSTRUCTIONS ON THE REVERSE SIDE**

NAME AND ADDRESS OF LICENSEE (As it appears on the invoice):	INVOICE NUMBER
	LICENSE NUMBER
	STANDARD INDUSTRIAL CLASSIFICATION CODE
	<b>SIC</b>

DO NOT RETURN THIS FORM IF YOU DO NOT QUALIFY UNDER ONE OF THESE SIZE STANDARDS	MAXIMUM ANNUAL FEE PER LICENSED CATEGORY (See Items 2 and 3 on back)
<b>1. SMALL BUSINESS</b> A for-profit concern that provides a service or a concern not engaged in manufacturing with average gross receipts of \$5 million or less over its last 3 completed fiscal years <input type="checkbox"/> A. \$350,000 TO \$5,000,000 <input type="checkbox"/> B. LESS THAN \$350,000	\$ 1,800 \$ 400
<b>2. MANUFACTURING INDUSTRY</b> A manufacturing concern with an average number of 500 or fewer employees based upon employment during each pay period for the preceding 12 calendar months <input type="checkbox"/> A. 35 to 500 EMPLOYEES <input type="checkbox"/> B. LESS THAN 35 EMPLOYEES	\$ 1,800 \$ 400
<b>3. SMALL ORGANIZATION</b> A not-for-profit organization that is independently owned and operated and has annual gross receipts of \$5 million or less <input type="checkbox"/> A. \$350,000 TO \$5,000,000 <input type="checkbox"/> B. LESS THAN \$350,000	\$ 1,800 \$ 400
<b>4. SMALL GOVERNMENTAL JURISDICTION (INCLUDING PUBLICLY SUPPORTED EDUCATIONAL INSTITUTIONS <sup>1</sup>)</b> A government of a city, county, town, township, village, school district, or special district with a population of less than 50,000 <input type="checkbox"/> A. 20,000 TO 50,000 POPULATION <input type="checkbox"/> B. LESS THAN 20,000 POPULATION	\$ 1,800 \$ 400
<b>5. SMALL EDUCATIONAL INSTITUTION THAT IS NOT STATE OR PUBLICLY SUPPORTED AND HAS 500 OR FEWER EMPLOYEES <sup>1</sup></b> <input type="checkbox"/> A. 35 to 500 EMPLOYEES <input type="checkbox"/> B. LESS THAN 35 EMPLOYEES	\$ 1,800 \$ 400

<sup>1</sup>An educational institution referred to in the size standards is an entity whose primary function is education, whose programs are accredited by a nationally recognized accrediting agency or association, who is legally authorized to provide a program of organized instruction or study, who provides an educational program for which it awards academic degrees, and whose educational programs are available to the public

**CERTIFICATION**

*This certification MUST be signed by the owner of the entity named above or an official empowered to act on behalf of the entity*

I certify that the above named NRC licensee qualifies as a small entity under the size standards established by the NRC for its licensees in 10 CFR 2.810 (60 CFR 18344). The licensee qualifies as a small entity under the specific size standard indicated above.

**WARNING:** 18 U.S.C. Section 1001, Act of June 25, 1948, 62 Stat. 749, makes it a criminal offense to make a willfully false statement or representation to any Department or Agency of the United States as to any matter within its jurisdiction. The submission of willful false statements is punishable by fine or imprisonment, or both, and for purposes of this certification, may result in revocation or suspension of the license.

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.	TYPED OR PRINTED NAME AND TITLE	SIGNATURE	DATE
--	---------------------------------	-----------	------

**IMPORTANT INSTRUCTIONS FOR NRC FORM 526 -- PLEASE READ CAREFULLY  
DO NOT COMPLETE OR RETURN THIS FORM IF YOU DO NOT QUALIFY  
AS A SMALL ENTITY**

**CERTIFICATION OF SMALL ENTITY STATUS FOR THE PURPOSES  
OF ANNUAL FEES IMPOSED UNDER 10 CFR PART 171  
FY 1997**

A licensee who qualifies as a small entity under a specific size standard established by the NRC may pay a reduced annual fee by filing the required certification on NRC Form 526, which is on the reverse side of this page. A separate NRC Form 526 is required for each invoice. Licensees who do not qualify under one of the size standards shown on NRC Form 526 should disregard this form.

1. Complete all items on NRC Form 526 as follows: **(NOTE: Incomplete or improperly completed forms will be returned as unacceptable.)**
  - Enter the license number and invoice number exactly as they appear on the annual fee invoice.
  - Enter the Standard Industrial Classification (SIC) code if it is known. If it is not known, leave this item blank.
  - Enter the licensee's name and address exactly as they appear on the invoice. Annotate name and/or address changes for billing purposes on the payment copy of the invoice. Correcting the name and/or address on NRC Form 526 or on the invoice does not constitute a request to amend the license.
  - Check the appropriate size standard under which the licensee qualifies as a small entity. Check one box only. Note the following:
    - a. The size standards apply to the licensee, not the individual authorized users listed in the license.
    - b. Gross annual receipts as used in the size standards includes all revenue in whatever form received or accrued from whatever sources, not solely receipts from licensed activities.
    - c. A licensee who is a subsidiary of a large entity does not qualify as a small entity.
  - The owner of the entity, or an official empowered to act on behalf of the entity, must sign and date the certification.
2. If the invoice states the "Amount Billed Represents 50% Proration," the amount due is not the prorated amount shown on the invoice but rather one-half of the maximum annual fee shown on NRC Form 526 for the size standard under which the licensee qualifies (either \$900 or \$200) for each category billed.
3. If the invoice amount is less than the reduced small entity annual fee, pay the amount on the invoice; there is no further reduction. In this case, NRC Form 526 does not have to be filed.
4. The completed NRC Form 526 must be submitted with the required annual fee payment and the "Payment Copy" of the invoice to the address shown on the invoice.

**DO NOT RETURN THIS FORM IF YOU DO NOT QUALIFY AS A SMALL ENTITY**