

APR 20 1995

Quality Equipment, Inc.
ATTN: Mr. Steve Gannon
Radiation Safety Officer
Route 2, Box 294C
Delbarton, WV 25670

Gentlemen:

SUBJECT: TRANSMITTAL AND EXPLANATION OF A MATERIALS LICENSE
(REFERENCE: 256380, 030-33826)

Enclosed is License No. 47-25329-01 issued in response to your letter dated March 27, 1995.

We are enclosing a copy of 10 CFR 20 and specifically call your attention to 10 CFR 20.1101 and 20.2102 (record keeping requirements). These sections deal with how you are to manage your radiation safety program to maintain exposures as low as reasonably achievable (ALARA) and require that you:

1. Implement a radiation protection program commensurate with your licensed activities.
2. Use to the extent practicable, procedures and engineering controls based on sound radiation protection principles to maintain occupational doses and doses to members of the public as low as reasonably achievable (ALARA).
3. At least annually conduct a review of your radiation safety program content and implementation.

Enclosures 2-4 are provided for your use in developing and implementing your radiation safety program and audit procedures. Also, please note that Condition 23.A.2 of the license requires that you notify us when licensed activities will be initiated.

If you have questions, please call me at 404/331-7880.

Sincerely,

Héctor Bermúdez
Nuclear Materials Licensing Section

Enclosures: See page 2

Quality Equipment, Inc.

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Enclosures:

1. License No. 47-25329-01
2. Duties and Responsibilities of RSO
3. 10 CFR 20
4. Annual Audit of Radiation Safety Program

cc:

State of West Virginia

bcc w/o Enclosures:

NMSS Reading File
Docket File

SEND	OFC	R11:DRSS	R11:DRSS	R11:DRSS		
TO	NAME	MBermidez <i>MB</i>	JPelchat <i>JP</i>	JPPotter		
PDR?	DATE	4/19/95	4/20/95	1/195	1/195	1/195
Yes	No	<input checked="" type="checkbox"/> COPY? <input type="checkbox"/>	Yes	No	Yes	No

OFFICIAL RECORD COPY

DOCUMENT NAME: G:\DRSS\NMLS\LICLTR\256380T.HB

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. Quality Equipment, Inc.	3. License Number 47-25329-01
2. Route 2, Box 294C Delbarton, West Virginia 25670	4. Expiration Date April 30, 2000
	5. Docket or Reference No. 030-33826

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. Barium 133	A. Any sealed source registered pursuant to 10 CFR 32.210 or an equivalent Agreement State regulation	A. No single source to exceed 370 megabecquerels (10 millicuries). Five sources total. (See item 9.A)
B. Cesium 137	B. Any sealed source registered pursuant to 10 CFR 32.210 or an equivalent Agreement State regulation	B. No single source to exceed 370 megabecquerels (10 millicuries). Five sources total. (See item 9.B)
C. Americium 241	C. Any sealed source registered pursuant to 10 CFR 32.210 or an equivalent Agreement State regulation	C. No single source to exceed 9.25 megabecquerels (0.25 millicuries). Five sources total. (See item 9.C)

9. Authorized Use
A., B., and C. For possession and use of sealed sources contained in compatible in-portable gauging devices (registered pursuant 10 CFR 32.210 or an equivalent Agreement State regulation) for measuring properties of materials and/or controlling industrial processes.

CONDITIONS

- 10. Licensed material shall be used only at the licensee's facilities located at Sargent Mining, Inc. Mine No. 4, 1000 Mingo Logan Avenue, Wharmville, West Virginia 26042.
- 11. The Radiation Safety Officer for this license is Steve Gannon.

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**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

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CONDITIONS

12. Licensed material shall be used by, or under the supervision of, Steve Gannon or other individuals who have successfully completed the device manufacturer's training course for safe use and handling of licensed material.
13. A. Sealed sources 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.
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 received from another person shall not be put into use until tested.
C. Sealed sources need not be leak tested if they contain only a radioactive gas; or not more than 100 microcuries of beta and/or gamma emitting material or, 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.
D. The leak test shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. If the test reveals the presence of 0.005 microcurie 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, Division of Radiation Safety and Safeguards, Nuclear Material Inspection Section, 101 Marietta Street, Suite 2900, Atlanta, Georgia 30323-0199. The report shall specify the source involved, the test results, and corrective action taken.
E. The licensee is authorized to collect leak test samples for analysis by Energy Technologies Inc. (ETI). 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.
14. Installation, initial radiation surveys, relocation, removal from service, or any similar activity with devices containing licensed material shall be performed only by persons specifically licensed by the Commission or an Agreement State to perform such services.
15. Sealed sources containing licensed material shall not be opened or removed from their respective source holders by the licensee.
16. Each gauge shall be tested for the proper operation of the shutter mechanism and, if applicable, at no longer than six-month intervals or at such longer intervals as specified by the manufacturer and approved by NRC.
17. The licensee shall operate each gauge within the manufacturer's specified temperature and/or environmental limits such that the shielding and shutter mechanism of the source holder are not compromised.
18. The licensee shall assure that the shutter mechanism is locked in the closed position during periods when a portion of an individual's body may be subject to the direct radiation beam. The licensee shall review and modify as appropriate its "lock-out" procedures whenever a new gauge is obtained to incorporate the device manufacturer's recommendations.
19. The licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license.

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SUPPLEMENTARY SHEET**

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CONDITIONS

- 20. The licensee shall maintain records of information important to safe and effective decommissioning at the location specified in Item 10 pursuant to the provisions of 10 CFR 30.35(g) until this license is terminated by the Commission.
- 21. 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.
- 22. Prior to initial use and after installation, relocation, dismantling, alignment, or any other activity involving the source or removal of the shielding, the licensee shall assure that a radiological survey is performed to determine radiation levels in accessible areas around, above and below the gauge with the shutter open.

This survey shall be performed only by persons authorized to perform such services by the Commission or an Agreement State.

- 23. A. The licensee may not possess and use materials authorized in Items 6, 7, and 8, until:
 - 1. The licensee has constructed the facilities and obtained the equipment described in the application and supporting documentation; and
 - 2. The licensee has notified the U.S. Nuclear Regulatory Commission, Region II, ATTN: Chief, Nuclear Materials Safety and Safeguards Branch, 101 Marietta Street NW, Suite 200, Atlanta, Georgia 30323-0199, in writing, that the activities authorized by the license will be initiated.
- B. In accordance with the requirements set forth in 10 CFR 30.36(d), the licensee shall notify the Chief, Nuclear Materials Safety and Safeguards at the address above, in writing, of a decision not to complete the facility, acquire equipment, or possess and use authorized material.
- 24. 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 March 27, 1978

B. Letter dated April 14, 1978

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

JOHN M. FORTNEY

Date

JH 4/20/95
n Amlicense/47-25329-01

By

[Signature]
Region II, Nuclear Materials Licensing Section
101 Marietta Street, Suite 200
Atlanta, GA 30323