

DL-070795_06

July 7, 1995

City of Norfolk
Department of Public Works
Division of Streets and Bridges
300 E. 17th Street
Norfolk, VA 23517

RECEIVED
MATERIALS LICENSING SECTION
JUL 11 1995

SUBJECT: TRANSMITTAL AND EXPLANATION OF MATERIALS LICENSE
(REFERENCE CONTROL NO. 256322; DOCKET NO. 030-33796)

Gentlemen:

Enclosed is License No. 45-25324-01 issued in response to your application dated January 31, 1995. Please review this document carefully and be sure that you understand all of its provisions.

If you have questions about this letter or your license, please call me at (404) 331-0344.

Sincerely,

Jay L. Henson
Materials License Reviewer
Nuclear Materials Licensing Section

Enclosure: License No. 45-25324-01

SEND TO PUBLIC DOCUMENT ROOM?		YES	NO				
OFFICE	RH:DRSS	RH:DRSS					
SIGNATURE	<i>JLH</i>	<i>JPotter</i>					
NAME	JHenson	JPotter					
DATE	07 / 7 / 95	07 / 7 / 95	07 / / 95	07 / / 95	07 / / 95	07 / / 95	07 / / 95
COPY?	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO

OFFICIAL RECORD COPY DOCUMENT NAME: G:\DRSS\NMLS\256322T JLM

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		3. License Number	45-25324-01
1.	City of Norfolk Department of Public Works Division of Streets and Bridges	4. Expiration Date	July 31, 2000
2.	300 E. 17th Street Norfolk, Virginia 23517	5. Docket or Reference No.	030-33796

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	A. Sealed sources registered either with NRC under 10 CFR 32.210 or with an Agreement State and incorporated in a compatible portable gauging device as specified in Item 9 of this license	A. No single source to exceed 407 megabecquerels (11 millicuries)
B. Americium 241	B. Sealed sources registered either with NRC under 10 CFR 32.210 or with an Agreement State and incorporated in a compatible portable gauging device as specified in Item 9 of this license	B. No single source to exceed 1.85 gigabecquerels (50 millicuries)

9. Authorized Use

A. and B. To be used, for measurement purposes, in portable Troxler or similar gauging devices that have been registered 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.

CONDITIONS

10. Licensed materials may be stored at the licensee's facilities located at 300 E. 17th Street, Norfolk, Virginia, and may be used at temporary job locations of the licensee anywhere in the United States where the U.S. Nuclear Regulatory Commission maintains jurisdiction for regulating the use of licensed material.

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**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number	45-25324-01
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CONDITIONS

11. A. Licensed material shall only be used by, or under the supervision and in the physical presence of, R. Shaw Whitney, Jr. or individuals who have successfully completed the manufacturer's and/or the Virginia Department of Transportation training programs 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 for this license is R. Shaw Whitney, Jr.
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 in the certificate of registration issued by NRC under 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.
- C. Sealed sources need not be tested if they contain not more than 100 microcuries of beta and/or gamma emitting material or not more than 10 microcuries of alpha emitting material; or 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.
- 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, ATTN: Chief, Nuclear Materials Safety and Safeguards Branch, 101 Marietta Street MW, 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 Troxler. 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 unauthorized or accidental removal of the sealed source from its shielded position. The gauge or its container must be locked when in transport, storage, or when not under the direct surveillance of an authorized user.
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.

MATERIALS LICENSE
SUPPLEMENTARY SHEET

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(continued)

CONDITIONS

- 17. Any cleaning, maintenance, or repair of the gauges that requires removal of the source rod shall be performed only by the manufacturer or 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. 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 2900, 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.
- 20. The licensee shall not use sealed sources or probes containing sealed sources at depths exceeding 3 feet below the surface.
- 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.
- 23. 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 January 31, 1995
 - B. Letter dated June 29, 1995 [response to additional information request]

FOR THE U. S. NUCLEAR REGULATORY COMMISSION

JAY L. HENSON

Date Jul 07 1995

By Jay L. Henson
 Region II, Nuclear Materials Licensing Section
 101 Marietta Street, N.W., Suite 2900
 Atlanta, Georgia 30323

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