DL-071596_06

El Comandante

July 15, 1996

U.S. NUCLEAR REGULATORY COMMISSION
Region II
101 Marietta St., N.W.
Atlanta, Georgia, USA 30323

RE: NRC LIC. NO. 52-24893-01

Dear Sirs:

This is a request for an amendment to Lic. No. 52-24893-01 to change the Radiation Safety Officer (RSO) due to recent resignation of Eng. Benigno Despiau. I am proposing for your consideration to Mr. Luis Santiago as the new RSO and authorized user of the licensed material. Mr. Santiago satisfactorily completed the CPN Units manufacturer's training program and has an abundant experience in the use, maintenance and sage storage of portable radioactive gauging devices. As a matter of fact, Mr. Santiago has been for 10 years, as Track Supervisor, the only person in charge of the operation, cleaning and safe storage of this Unit and acts as the contact person during the routine inspections of the Radiation Physics Consultant.

In support of this request, please find enclosed the proper fee ($290.00) for an amendment fee, to a License Category 3P as stated in 10 CFR-170.31 (effective June 19, 1995)

El Comandante Operating Co.

Carlos R. Rivera

Enclosures: Certificate of Completion
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Check # 064067

257128

Comandante Operating Company, Inc. / P. O. Box 1675, Canovanas, Puerto Rico 00729 / Tel. (787) 724-6060 / Fax (787) 876-5170

NRC FORM 374
(10-89)

U.S. NUCLEAR REGULATORY COMMISSION

MATERIALS LICENSE

Amendment No. 1

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, 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. El Comandante Operating Company	In accordance with application dated February 20, 1992 3. License number 52-24893-01 is amended in its entirety to read as follows:
2. P.O. Box 29500 65th Infantry Station Rio Piedras, Puerto Rico 00929	4. Expiration date April 30, 1997 5. Docket or Reference No. 030-29761

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 source registered pursuant to 10 CFR 32.210 or an equivalent Agreement State Regulation	A. No single source to exceed 10 millicuries
B. Americium 241	B. Sealed neutron source registered pursuant to 10 CFR 32.210 or an equivalent Agreement State Regulation	B. No single source to exceed 50 millicuries

9. Authorized Use:

A. and B. For use in Campbell-Pacific Model MC series portable gauging devices to measure properties of materials.

CONDITIONS

10. Licensed material may be used at the licensee's facilities at El Comandante Race Track, KM 15.3, Canovanas, Puerto Rico and 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.

11. The Radiation Protection Officer for this license is Benigno Despiau.

12. Licensed material shall be used by, or under the supervision and in the physical presence of, Benigno Despiau or individuals who have satisfactorily completed the device manufacturer's training program for safe use of portable gauging devices and have been trained in the licensee's operating and emergency procedures. The licensee shall maintain records of persons designated as users.

13. Sealed sources containing licensed material shall not be opened or removed from the gauging device by the licensee.

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MATERIALS LICENSE
SUPPLEMENTARY SHEET

License number 52-24893-01

Docket or Reference number 030-29761

Amendment No. 1

(cont.)

CONDITIONS

14. A.(1) The source(s) specified in Item 7, shall be tested for leakage and/or contamination at intervals not to exceed 6 months. Any source received from another person which is not accompanied by a certificate indicating that a test was performed within 6 months before the transfer shall not be put into use until tested.

(2) Notwithstanding the periodic leak test required by this condition, any licensed sealed source is exempt from such leak tests when the source contains 100 microcuries or less of beta and/or gamma emitting material or 10 microcuries or less of alpha emitting material.

B. Any source in storage and not being used need not be tested. When the source is removed from storage for use or transfer to another person, it shall be tested before use or transfer.

C. The 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, the source shall be removed from service and decontaminated, repaired, or disposed of in accordance with Commission regulations. A 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 Safety Section, 101 Marietta Street, Suite 2900, Atlanta, Georgia 30323. The report shall specify the source involved, the test results, and corrective action taken. Records of leak test results shall be kept in units of microcuries and shall be maintained for inspection by the Commission. Records may be disposed of following Commission inspection.

D. The licensee is authorized to collect leak samples and for analysis by Campbell-Pacific or tests for leakage and/or contamination shall be performed by persons specifically licensed by the Commission or an Agreement State to perform such services.

15. The licensee may transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."

16. The licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under this license. Records of inventories shall be maintained for 2 years from the date of each inventory.

17. The licensee shall maintain records of information important to safe and effective decommissioning at the El Comandante Race Track, Canovanas, Puerto Rico pursuant to the provisions of 10 CFR 30.35(g) until this license is terminated by the Commission.

18. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of licensed material to quantities below the minimum specified 10 CFR 30.35(d) for establishing decommissioning financial assurance.

MATERIALS LICENSE SUPPLEMENTARY SHEET	License number 52-24893-01 Docket or reference number 030-29761 Amendment No. 1

(cont.)

CONDITIONS

19. 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.

Applications dated:

- February 5, 1987
- February 20, 1992

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

EARL G. WRIGHT

Date APR 15 1992

By Earl G. Wright

Region II, Nuclear Materials Safety Section
101 Marietta Street, Suite 2900
Atlanta, GA 30323

№ 8760

Certificate Of Completion

This is to certify that Luis M. Santiago has completed the basic training course on Radiation Safety and Use of Nuclear Soil Gauges, held this 6th day of March 19 87, held at Colegio de Ingenieros City of San Juan State of Puerto Rico by CPN Corporation.

INSTRUCTOR

CPN CORPORATION
2830 Howe Road
Martinez California USA 94553

RADIATION SAFETY OFFICER

№ 8760

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2830 Howe Road
Martinez, California USA 94553

Don Conrad
RADIATION SAFETY OFFICER

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