

OFFICIAL RECORD COPY

MATERIALS LICENSE

Amendment No. 3

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.

DL-072996-10

Licensee	In accordance with letter dated July 15, 1996
1. El Comandante Operating Company	3. License Number 52-24893-01
2. P.O. Box 1675 Canóvanas, Puerto Rico (00729)	is amended in its entirety to read as follows:
	4. Expiration Date April 30, 2002
	5. Docket or Reference No. (130-29761)

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, Canóvanas, 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 Luis Santiago.
12. Licensed material shall be used by, or under the supervision and in the physical presence of, Luis Santiago 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. 3

(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 Nuclear Materials Safety, Nuclear Materials Licensing/Inspection Branch, 101 Marietta Street, Suite 2000, 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 test samples 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.

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SUPPLEMENTARY SHEET**

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(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.

A. Applications dated:

- February 5, 1987
- February 20, 1992

B. Letter dated:

- March 19, 1996 (change mailing address)
- July 15, 1996 (change of RSO)

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

JAY L. HENSON

Date JUL 29 1996

H 7/29/96

NW LICENSE 52-24893-A03

By Jay L. Henson
 Region II, Division of Nuclear Materials Safety
 101 Marietta Street, Suite 2900
 Atlanta, GA 30323

BETWEEN: (FOR LMS USE)
INFORMATION FROM LMS

License Fee Management Branch, ABM
and
Regional Licensing Sections

Program Code: 03121
Status Code: 0
Fee Category: 3P
Exp. Date: 20020430
Fee Comments:
Decom Fin Assur Reqd: N

LICENSE FEE TRANSMITTAL

A. REGION II

1. APPLICATION ATTACHED

Applicant/Licensee: EL COMANDANTE OPERATING COMPANY
Received Date: 960723
Docket No: 3029761
Control No.: 257128
License No.: 52-24893-01
Action Type: Amendment

PRIORITY

2. FEE ATTACHED

Amount: \$290.00
Check No.: 64067

3. COMMENTS

Signer: Witt
Date: 7/25/96

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered /)

1. Fee Category and Amount: 3P \$300

2. Correct fee paid. Application may be processed for:

Amendment
Renewal
License

3. OTHER

Signed: Ante M. P. [Signature]
Date: 8/23/96

St fees deposited
Jul 3 II
64067
\$290 + \$10
3P
amt
Date Received 8/23/96
By Kim