

August 6, 1998

Double J. Pavi. J. Inc.  
ATTN: Warren Jackson  
President  
1236 Skyline Road  
South Hill, VA 23970

SUBJECT: TRANSMITTAL AND EXPLANATION OF LICENSE NO. 45-25430-01  
(REFERENCE CONTROL NO. 257868; DOCKET NO. 030-34699)

Dear Mr. Jackson:

Enclosed please find your new NRC materials license.

Please review the document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify this office [ATTN: Ms. Diane Heim at (404) 562-4723] so that we can provide appropriate corrections and answers.

Please be advised that your license expires as stated in Item 4. Unless your license has been terminated, you must conduct your program involving byproduct materials in accordance with the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate in accordance with NRC regulations 10 CFR 19, "Notice, Instructions and Reports to Workers; Inspections and Investigations," 10 CFR 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Not possess and use materials authorized in Items 6, 7, and 8 on the license until:
  - a. you have constructed the facilities and obtained the equipment described in the license application and supporting documentation; and
  - b. you have notified the U. S. Nuclear Regulatory Commission, Region II, ATTN: Materials Licensing/Inspection Branch, in writing, that activities authorized by the license will be initiated.
3. Notify NRC, in writing, within 30 days:
  - a. when an authorized user or a Radiation Safety Officer permanently discontinues performance of duties under the license or has a name change; or

- b. when the licensee's mailing address changes (no fee is required if the location of byproduct material remains the same)
4. In accordance with 10 CFR 30.36(d) and/or license condition, notify NRC promptly, in writing, and request amendment or termination of the license:
  - a. when you decide to terminate all activities involving materials authorized under the license;
  - b. when you decide to terminate licensed activities in a separate building or outdoor area identified on your license; or
  - c. if you decide not to complete the facility, acquirement equipment, or possess and use authorized material.
5. Request and obtain a license amendment before you:
  - a. change Radiation Safety Officer;
  - b. order byproduct material in excess of the amount, or a different radionuclide or form, other than authorized on the license;
  - c. add to change the areas of use or address (or addresses) of use identified in the license application or on the license; or
  - d. change ownership of your organization.
6. Submit a complete renewal application with proper fee or termination request at least 30 days before the expiration date of your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of byproduct material after your license expires is a violation of NRC regulations. Transfer of licensed materials must be consistent with 10 CFR 30.41, 40.51 or 70.42, as applicable. A license will not normally be renewed, except on a case-by-case basis, in instances where licensed material has never been possessed or used.

In addition, please note that NRC Form 313 requires the applicant, by his/her signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of the applicant's knowledge. The signatory for the application should be the licensee or certifying official rather than a consultant.

The NRC is required to have your Taxpayer Identification Number in order to make payments (refunds). The self-addressed, stamped NRC Form 531, "Request for Taxpayer Identification Number," is enclosed.

You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will

result in enforcement action against you. This could include issuance of a Notice of Violation, or imposition of a Civil Penalty, or an order suspending, modifying or revoking your license as specified in the "General Statement of Policy and Procedures for NRC Enforcement Actions," NUREG-1600 (7/95). Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken against those who do not achieve the necessary attention to detail and standard of compliance expected of licensees.

Thank you for your cooperation.

Sincerely,

Wade T. Loo, License Reviewer  
Division of Nuclear Materials Safety

- Enclosures: 1. NRC License No. 45-25430-01
- 2. NUREG-1600 (7/95): 19; 20; 21; 30; 40 or 70, as appropriate; 71; 170; NRC Form 3; Agreement State List; NRC Form 313; and NRC Form 531

OFFICE	RII:DNBS	RII:DNBS	RII:DNBS						
SIGNATURE									
NAME	M. Loo	T. Decker	J. Clancy						
DATE	8/6/98	8/4/98	8/6/98	8/ /98	8/ /98	8/ /98	8/ /98	8/ /98	8/ /98
COPY?	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO

OFFICIAL RECORD COPY

DOCUMENT NAME: G:\DNBS\COM\TR\257868.WTL

# OFFICIAL RECORD COPY 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.

<p style="text-align: center;">Licensee</p> <p>1. Double J. Paving, Inc.</p> <p>2. 1236 Skyline Road South Hill, Virginia 23970</p>	<p>3 License No 45-25430-01</p> <p>4 Expiration Date July 31, 2008</p> <p>5 Docket No 030-34699 Reference No.</p>
---	---

- |   |  |   |
|---|--|---|
| <p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Cesium-137</p> | <p>7. Chemical and/or physical form</p> <p>A. Sealed source (Amersham Corporation, Model No. CDCW556; Isotope Products Laboratories, Model No. HEG-137-8M)</p> | <p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. No single source to exceed 333 megabecquerels (9 millicuries)</p> |
|---|--|---|

9. Authorized use
- A. and B To be used, for measuring physical properties of materials, in Troxler Electronics Laboratories, Inc., Model 4640 portable gauging devices

## CONDITIONS

10. Licensed material may be used or stored at the licensee's facilities located at 1236 Skyline Road, South Hill, Virginia, and may be used 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. Licensed material shall only be used by, or under the supervision and in the physical presence of, individuals who have received the training described in the application dated March 18 1998
12. A. The Radiation Safety Officer (RSO) for this license is Charles Russell

9808270277 980806  
PDR ADOCK 03034699  
C PDR

M.L. 20

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**License No.  
45-25430-01Docket or Reference No  
030-34699

12. B. Before assuming the duties and responsibilities as RSO for this license and before obtaining material, Charles Russell shall have successfully completed one of the training courses described in Criteria in Section 8.8 of NUREG-1556, Volume 1, dated May 1997.
13. A. Sealed sources shall be tested for leakage and/or contamination at intervals not to exceed the intervals 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 the intervals specified in the certificate of registration issued by NRC under 10 CFR 32.210 or by an Agreement State 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 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 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 microcuries ( $\mu\text{Ci}$ ) of radioactive material on the test sample. If the test reveals the presence of 0.005  $\mu\text{Ci}$  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, 61 Forsyth Street, S.W., Suite 23T85, Atlanta, Georgia 30303. The report shall specify the source involved, the test results, and corrective action taken.
- E. Tests of leakage and/or contamination shall be performed by persons specifically licensed by the Commission or an Agreement State to perform such services. In addition, the licensee is authorized to collect leak test samples but not perform the analysis; analysis of leak test samples must be performed by persons specifically licensed by the Commission or an Agreement State to perform such services.
14. Sealed sources or source rods containing licensed material shall not be opened or sources removed or detached from source rods or gauges by the licensee, except as specifically authorized.
15. Sealed sources or source rods containing licensed material shall not be opened or sources removed or detached from source rods or gauges by the licensee except as specifically authorized.
16. The licensee shall conduct a physical inventory every 6 months, or at other interval approved by NRC, to account for all sources and/or devices received and possessed under the license.

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**License No  
45-25430-01Docket or Reference No  
030-34699

17. 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.
18. 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.
19. Any cleaning, maintenance, or repair of the gauges that requires removal of the source rod shall be performed only by the manufacturer or by other persons specifically licensed by the Commission or an Agreement State to perform such services.
20. 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."
21. A. If the licensee uses unshielded sealed sources extended more than 3 feet below the surface, the licensee shall use surface casing that extends from the lowest depth to 12 inches above the surface and other appropriate procedures to reduce the probability of the source or probe becoming lodged below the surface. If it is not feasible to extend the casing 12 inches above the surface, the licensee shall implement procedures to ensure that the cased hole is free of obstruction before making measurements.
- B. If a sealed source or a probe containing sealed sources becomes lodged below the surface and it becomes apparent that efforts to recover the sealed source or probe may not be successful, the licensee shall notify the U. S. Nuclear Regulatory Commission and submit the report required by 10 CFR 30.50(b)(2) and (c). The licensee shall not abandon the sealed source or probe without obtaining the Commission's prior written consent.
22. 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. A. The licensee may not possess and use materials authorized in Items 6, 7, and 8, until:
- 1) The licensee has constructed facilities and obtained the equipment described in the application and supporting documentation; and
  - 2) The U. S. Nuclear Regulatory Commission, Region II, ATTN: Chief, Materials Licensing/ Inspection Branch, has been notified in writing that activities authorized by the license will be initiated.

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**License No.  
45-25430-01Docket or Reference No.  
030-34699

23. B. In accordance with the requirements set forth in 10 CFR 30.36(b), the licensee shall promptly notify the Nuclear Regulatory Commission, 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 18, 1998.
- B. Letter dated August 5, 1998 [Facsimile regarding additional information submitted in support of the application regarding device model number; temporary jobsites; and change of RSO (C. Russell)]

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

WADE T LOO

Date AUG 05 1998

By

*Wade T. Loo*

Region II, Division of Nuclear Materials Safety  
61 Forsyth Street, S.W., Suite 23T85  
Atlanta, Georgia 30303

*8/6/98*