



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV  
611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-8064**

February 8, 2001

Aguirre Engineers, Inc.  
ATTN: Kenneth L. Zahrt  
Radiation Safety Officer  
13726 East Fremont Place  
P.O. Box 3814  
Englewood, Colorado 80155-3814

**SUBJECT: LICENSE AMENDMENT**

Please find enclosed Amendment No. 01 to License No. 05-27647-01. You should review this license carefully and be sure that you understand all conditions. If you have any questions, you may contact me at 817-860-8217.

NRC expects licensees to conduct their programs with meticulous attention to detail and a high standard of compliance. Because of the serious consequences to employees and the public that can result from failure to comply with NRC requirements, you must conduct your radiation safety program according to the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate by NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers: Inspection and Investigations," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Notify NRC in writing of any change in mailing address.
3. By 10 CFR 30.36(b) and/or license condition, notify NRC, promptly, in writing, and request termination of the license:
  - a. When you decide to terminate all activities involving materials authorized under the license; or
  - b. If you decide not to complete the facility, acquire equipment, or possess and use authorized material.
4. Request and obtain a license amendment before you:
  - a. Change Radiation Safety Officers;
  - b. Order byproduct material more than the amount or form authorized on the license;
  - c. Add or change the areas or address(es) of use identified in the license application or on the license; or
  - d. Change the name or ownership of your organization.
5. Submit a complete renewal application or termination request at least 30 days before the expiration date on your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of radioactive material after your license expires is a violation of NRC regulations.

In addition, please note that NRC Form 313 requires the applicant, by 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.

NRC will periodically inspect your radiation safety program. Failure to conduct your program according to NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC may result in enforcement action against you. This could include issuance of a notice of violation; imposition of a civil penalty; or an order suspending, modifying, or revoking your license as specified in the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG 1600.

Thank you for your cooperation.

Sincerely,

**/RA/**

Christi Hernandez, Health Physicist  
Nuclear Materials Licensing Branch

Docket: 030-35245  
License: 05-27647-01  
Control: 468348

Enclosures: As stated

**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>Licensee</p> <p>1. Aguirre Engineers, Inc.</p> <p>2. 13276 E. Fremont Place P.O. Box 3814 Englewood, Colorado 80155-3814</p>	<p>In accordance with letter dated November 14, 2000,</p> <p>3. License number 05-27647-01 is amended in its entirety to read as follows:</p> <p>4. Expiration date October 30, 2009</p> <p>5. Docket No. 030-35245 Reference No.</p>	
<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Any byproduct material with Atomic Nos. 1 through 83</p> <p>B. Any byproduct material with Atomic Nos. 84 through 103</p> <p>C. Any source material</p> <p>D. Any special nuclear material</p>	<p>7. Chemical and/or physical form</p> <p>A. Any</p> <p>B. Any</p> <p>C. Any</p> <p>D. Any</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. 100 curies</p> <p>B. 1 curie</p> <p>C. 10,000 kilograms</p> <p>D. 350 grams uranium 235, or 200 grams plutonium, or 200 grams uranium 233, or any combination of these provided the sum of the ratios of the quantities does not exceed unity</p>

## 9. Authorized use:

A. through D. For receipt, storage, use and or possession incidental to any activity as follows:

- (1) Decontamination of facilities, equipment and containers;
- (2) Solidification and treatment of wastes;
- (3) Packaging for transport;
- (4) Any activity related to site characterization; and
- (5) Transport in packages or containers approved for use under the provisions of 10 CFR 71, for transfer to licensees authorized to receive the materials, in accordance with the terms and conditions of licenses issued by the NRC or an Agreement State.

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**CONDITIONS**

10. Licensed materials shall be used only 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, including areas of exclusive federal jurisdiction within Agreement States. Except for calibration sources, reference standards, and radioactively contaminated equipment owned by the licensee, possession of licensed material at each temporary job site shall be limited to material originating from each site. This material must either be transferred to an authorized recipient or remain at the site after licensee activities are completed.

If the jurisdiction status of a federal facility within an Agreement State is unknown, the licensee should contact the federal agency controlling the job site in question to determine whether the proposed job site is an area of exclusive federal jurisdiction. Authorization for use of radioactive materials at job sites in Agreement States not under exclusive federal jurisdiction shall be obtained from the appropriate state regulatory agency.

11. A. Licensed material shall be used by, or under the supervision of, individuals designated in writing by the Radiation Safety Committee, Vukoslav E. Aguirre, Chairperson.
- B. The Radiation Safety Officer for this license is Kenneth L. Zahrt.
12. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of licensed material to quantities below the limits specified in 10 CFR 30.72 which require consideration of the need for an emergency plan for responding to a release of licensed material.
13. The licensee shall notify the Regional Administrator, U.S. Nuclear Regulatory Commission, Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011, ATTN: Director, Division of Nuclear Materials Safety, in writing at least 14 days before initiating activities under this license at a temporary job site. This notification shall include:
- A. The estimated type, quantity, and physical/chemical forms of licensed material to be used
  - B. The specific site location
  - C. A description of planned activities including waste management and disposition
  - D. The estimated start date and completion date for the job, and
  - E. The name and title of a point of contact for the job, including information on how to contact the individual.
14. This license does not authorize the use of licensed material at temporary job sites for uses already specifically authorized by a customer's license. If a customer also holds a license issued by the NRC or an Agreement State, the licensee shall establish a written agreement between the licensee and the customer specifying which licensee activities shall be performed under the customer's license and supervision, and which licensee activities shall be performed under the licensee's supervision pursuant to this license. The agreement shall include a commitment by the licensee and the customer to ensure safety, and any commitments by the licensee to help the customer clean up the temporary job site if there is an accident. A copy of this agreement shall be included in the notification required by License Condition 13.

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15. The licensee shall maintain records of information important to decommissioning each temporary job site at the applicable job site pursuant to 10 CFR 30.35(g), 40.36(f), and 70.25(g). The records shall be made available to the customer upon request. At the completion of activities at a temporary job site, the licensee shall transfer these records to the customer for retention.
16. Pursuant to 10 CFR 30.11, 40.14, and License Condition 10., the licensee is exempted from the requirements of 10 CFR 30.35, 40.36, and 70.25 to establish decommissioning financial assurance.
17. If approved by a Radiation Safety Officer specifically identified in this license, the licensee may take reasonable action in an emergency that departs from conditions in this license when the action is immediately needed to protect public health and safety and no action consistent with all license conditions that can provide adequate or equivalent protection is immediately apparent. The licensee shall notify the NRC before, if practicable, and in any case immediately after taking such emergency action using the reporting procedure specified in 10 CFR 30.50 (c).
18. Within 30 days of completing activities at each job site location, the licensee shall notify the Regional Administrator, U.S. Nuclear Regulatory Commission, Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011, ATTN: Director, Division of Nuclear Materials Safety, in writing of the temporary job site status and the disposition of any licensed material used.
19. Sealed sources or detector cells containing licensed material shall not be opened or sources removed from source holders by the licensee.
20. 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 by the certificate of registration referred to in 10 CFR 32.210.
- B. Notwithstanding Paragraph A of this Condition, sealed sources designed to emit alpha particles shall be tested for leakage and/or contamination at intervals not to exceed 3 months.
- C. 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.
- D. Each sealed source fabricated by the licensee shall be inspected and tested for construction defects, leakage, and contamination prior to any use or transfer as a sealed source.
- E. Sealed sources need not be leak tested if:
- (i) they contain only hydrogen-3; or
  - (ii) they contain only a radioactive gas; or
  - (iii) the half-life of the isotope is 30 days or less; or

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- (iv) 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
- (v) 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.
- F. 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 IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011, ATTN: Director, Division of Nuclear Materials Safety. The report shall specify the source involved, the test results, and corrective action taken.
- G. Tests for leakage and/or contamination shall be performed by the licensee or by other persons specifically licensed by the Commission or an Agreement State to perform such services.
21. The licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license.
22. 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."
23. This license does not authorize the import of byproduct material wastes.

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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 U.S. 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 February 1, 1998
- B. Letter dated March 31, 1998
- C. Letter dated April 7, 1998
- D. Letter dated June 3, 1999
- E. Letter dated August 27, 1999



FOR THE U.S. NUCLEAR REGULATORY COMMISSION

**ORIGINAL SIGNED BY CHRISTI HERNANDEZ**Date FEB 8, 2001By \_\_\_\_\_  
Christi Hernandez, Health Physicist  
Nuclear Materials Licensing Branch  
Region IV  
Arlington, Texas 76011