

NRC FORM 241 (7-1999)		U.S. NUCLEAR REGULATORY COMMISSION		APPROVED BY OMB: NO. 3150-0013 EXPIRES: 07/31/2002 Estimated burden per response to comply with this mandatory collection request: 15 minutes. This notification is required so that NRC may schedule inspection of the activities to ensure that they are conducted in accordance with requirements for protection of the public health and safety. Send comments regarding burden estimate to the Records Management Branch (T-6 E6), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by internet e-mail to bjs1@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0013), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.	
REPORT OF PROPOSED ACTIVITIES IN NON-AGREEMENT STATES, AREAS OF EXCLUSIVE FEDERAL JURISDICTION, OR OFFSHORE WATERS (Please read the instructions before completing this form)					
1. NAME OF LICENSEE (Person or firm proposing to conduct the activities described below)			2. TYPE OF REPORT		
K. S. Ware and Associates, LLC			<input checked="" type="checkbox"/> INITIAL <input type="checkbox"/> REVISION <input type="checkbox"/> CLARIFICATION		
3. ADDRESS OF LICENSEE (Mailing address or other location where licensee may be located)			4. LICENSEE CONTACT AND TITLE		
54 Lindsley Ave Nashville, TN 37210			Charles Ervin RSO		
			5. TELEPHONE NUMBER (Include Area Code)		6. FACSIMILE NUMBER (Include Area Code)
			615-742-7476		615-742-3166
7. ACTIVITIES TO BE CONDUCTED UNDER THE GENERAL LICENSE GIVEN IN 10 CFR 150.20					
<input type="checkbox"/> WELL LOGGING <input type="checkbox"/> LEAK TESTING AND/OR CALIBRATIONS <input type="checkbox"/> TELETHERAPY/IRRADIATOR SERVICE <input checked="" type="checkbox"/> PORTABLE GAUGES <input type="checkbox"/> OTHER (Specify) ⇒ _____ <input type="checkbox"/> RADIOGRAPHY ⇒ _____ REGISTERED AS USER OF PACKAGING (CERTIFICATES OF COMPLIANCE NUMBERS)					
8. CLIENT NAME, ADDRESS, CITY/COUNTY, STATE, ZIP CODE			9. ACTUAL PHYSICAL ADDRESS OF WORK LOCATION (Street and Number or other location. Give as complete an address or directions as possible.)		
Mactec Constructors 97B Midway Lane Oak Ridge, TN 37830			5454 and IHP Oak Ridge National Laboratory Oak Ridge, TN		
			10. CLIENT TELEPHONE NUMBER (Include Area Code)		11. WORK LOCATION TELEPHONE NUMBER (Include Area Code)
			865-483-1280		865-574-0996
12. DATES SCHEDULED		13. NUMBER OF WORK DAYS	14. ADD	15. DELETE	16. LOCATION REFERENCE NUMBER
FROM Jan. 21, 2003	TO August 29, 2003	157 see attachment #1			NUMBER TO BE ASSIGNED BY NRC 000158
LIST ADDITIONAL WORK SITES ON SEPARATE SHEET(S) TO INCLUDE ALL INFORMATION CONTAINED IN ITEMS 9-16 ABOVE.					
17. LIST RADIOACTIVE MATERIAL, WHICH WILL BE POSSESSED, USED, INSTALLED, SERVICED, OR TESTED (Include description of type and quantity of radioactive material, sealed sources, or devices to be used.)					
Cesium 137 NO single source to exceed 9 millicuries Americium 241/Beryllium NO single source to exceed 44 millicuries					
18. AGREEMENT STATE SPECIFIC LICENSE WHICH AUTHORIZES THE UNDERSIGNED TO CONDUCT ACTIVITIES WHICH ARE THE SAME, EXCEPT FOR LOCATION OF USE, AS SPECIFIED IN ITEM 9 ABOVE (Four copies of the specific license must accompany the Initial NRC Form 241.)			LICENSE NUMBER	STATE	EXPIRATION DATE
			R-19218-D07	TN	April 30, 2007
19. CERTIFICATION (MUST BE COMPLETED BY APPLICANT)					
I, THE UNDERSIGNED, HEREBY CERTIFY THAT:					
a. All information in this report is true and complete. b. I have read and understand the provision of the general license 10 CFR 150.20 reprinted on the instructions of this form; and I understand that I am required to comply with these provisions as to all byproduct, source, or special nuclear material which I possess and use in non-Agreement States or offshore waters under the general license for which this report is filed with the U.S. Nuclear Regulatory Commission. c. I understand that activities, including storage, conducted in non-Agreement States under general license 10 CFR 150.20 are limited to a total of 180 days in calendar year. With the exception of work conducted in off-shore waters, which is authorized for an unlimited period of time in the calendar year. d. I understand that I may be inspected by NRC at the above listed work site locations and at the Licensee home office address for activities performed in non-Agreement States or offshore waters. e. I understand that conduct of any activities not described above, including conduct of activities on dates or locations different from those described above or without NRC authorization, may subject me to enforcement action, including civil or criminal penalties.					
CERTIFYING OFFICER - RSO or Management Representative (Name and Title)			SIGNATURE	DATE	
Charlie Ervin RSO			Charlie Ervin	1-2-2003	
WARNING: False statements in this certificate may be subject to civil and/or criminal penalties. NRC regulations require that submissions to the NRC be complete and accurate in all material respects. 18 U.S.C. Section 1001 makes it a criminal offense to make a willfully false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.					
FOR NRC USE ONLY		REV	SIGNATURE	DATE	TOTAL USAGE - DAYS TO DATE
			Janice H. Kirby Licensing Assistant	1/13/03	

NRC FORM 241 (7-1999)

PRINTED ON RECYCLED PAPER

Attachment # 1

Calendar Year 2003

January 21-24, 27-31 = 9 days

February 3-7, 10-14, 17-21, 24-28 = 20 days

March 3-7, 10-14, 17-21, 24-28, 31 = 21 days

April 1-4, 7-11, 14-18, 21-25, 28-30 = 22 days

May 1-2, 5-9, 12-16, 19-23, 27-30 = 21 days

June 2-6, 9-13, 16-20, 23-27, 30 = 21 days

July 1-3, 7-11, 14-18, 21-25, 28-31 = 22 days

August 1, 4-8, 11-15, 18-22, 25-29, = 21 days

total = 157 days

TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF RADIOLOGICAL HEALTH



RADIOACTIVE MATERIAL LICENSE

Pursuant to Tennessee Department of Environment and Conservation Regulations, 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 radioactive material listed below; and to use such radioactive material for the purpose(s) and at the place(s) designated below. This license is subject to all applicable rules and regulations of the Tennessee Department of Environment and Conservation and orders of the Division of Radiological health, now or hereafter in effect and to any conditions specified below.

LICENSEE		3. License number
1. Name	K. S. Ware & Associates, LLC	R-19218-D02
2. Address	315 10th Ave. N., Suite 122 Nashville, TN 37203	4. Expiration date
		April 30, 2002
		5. File no.
		R-19218
6. Radioactive Material (Element and Mass Number)	8. Chemical and/or physical form	9. Maximum Radioactivity and/or quantity of material which licensee may possess at any one time.
See Supplementary Sheets		
10. Authorized Use		
See Supplementary Sheets		

CONDITIONS

11. Unless otherwise specified, the authorized place of use is the licensee's address stated in item 2, above.

See Supplementary Sheets

For the Commissioner
Tennessee Department of Environment and Conservation

Date of Issuance April 23, 1997

Page 1 of 5 Pages

By: 

DIVISION OF RADIOLOGICAL HEALTH

Ronald E. Wynn
Health Physicist

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF RADIOLOGICAL HEALTH**

RADIOACTIVE MATERIAL LICENSE

Supplementary Sheet

Page 4 of 5 Pages

License Number R-19218-D02

18. To prevent tampering or removal by unauthorized personnel, each radioactive device authorized by this license shall be secured in a locked storage container or area when not being used.
19. The licensee shall maintain complete and accurate records of the receipt and disposal of radioactive material. The licensee shall, for radioactive material no longer useful for any purpose and for any equipment or supplies contaminated with such material for which further use and decontamination is not planned, define those materials as radioactive waste and treat them as such in accordance with the following provisions:
- A. Radioactive waste material shall not be stored with non-radioactive waste.
 - B. A written record of all radioactive waste material shall be maintained until it has been determined by a suitable survey or radioassay that it has decayed to background levels or until it has been shipped to an authorized recipient in accordance with all applicable regulations. Accountability of radioactive waste material prepared for shipment but not yet shipped from the licensee's premises shall be maintained by the licensee by an internal record system such that the licensee is constantly aware of the material's location and the proposed time of shipment. Individuals who are involved in the shipping of such material and/or the storage of such material prior to shipment, shall be trained in the precautions necessary for such handling and storage.
 - C. For material which has decayed to background levels as determined by radioassay or external level as measured with appropriately calibrated instruments, records shall indicate that the material was determined to be no longer radioactive and will indicate the methods and results of the survey or analysis.
 - D. Shipment records of radioactive waste material shall be maintained and the licensee shall require written confirmation from the authorized recipient of such material that this material has been received.
 - E. All records and written confirmations required by this condition shall be maintained for inspection by the Department.

The requirements for this condition are in addition to any other requirements for the handling and/or disposal of radioactive material contained in this license and "State Regulations for Protection Against Radiation."

20. The licensee shall conduct a physical inventory every six (6) months to account for all sources and/or devices received and possessed under this license. Records of inventories shall be maintained for inspection by the Department.

TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF RADIOLOGICAL HEALTH

RADIOACTIVE MATERIAL LICENSE

Supplementary Sheet

Page 5 of 5 Pages

License Number R-19218-D02

21. No provision of this license relieves the licensee from compliance with other Federal, State and local laws, ordinances, and regulations applicable to the licensee's activities.
22. Except as specifically provided otherwise by this license, the licensee shall possess and use radioactive material described in Items 6, 8, and 9 of this license in accordance with statements, representations, and procedures contained in application dated April 14, 1997, with attachments.

TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF RADIOLOGICAL HEALTH

RADIOACTIVE MATERIAL LICENSE

Amendment 1

Page 1 of 1 Page

License Number R-19218-D02

K.S. Ware & Associates, LLC
315 10th Ave. N., Suite 122
Nashville, TN 37203

Attention: James E. Trotter, Radiation Safety Officer

Gentlemen:

As requested by James E. Trotter and in accordance with his letter dated June 2, 1997, your Tennessee Radioactive Material License number R-19218-D02 is amended as follows:

To change Items 10.C and D and Condition 22. These items and this condition will now read as follows:

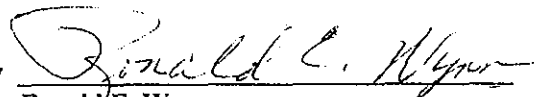
- 10.C. and D. To be used in Troxler Electronics compac moisture density gauges, all models within the 3400 series, for the measurement of moisture and density of construction materials at various jobsites within the license jurisdiction.
22. Except as specifically provided otherwise by this license, the licensee shall possess and use radioactive material described in Items 6, 8, and 9 of this license in accordance with statements, representations, and procedures contained in application dated April 14, 1997, with attachments, and letter dated June 2, 1997.

All other parts of this license remain unchanged.

Date June 2, 1997

For the Commissioner
Tennessee Department of
Environment and Conservation

By



Ronald E. Wynn
Health Physicist
Division of Radiological Health

TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF RADIOLOGICAL HEALTH

RADIOACTIVE MATERIAL LICENSE

Amendment 2

Page 1 of 1 Page

License Number R-19218-D02

K.S. Ware & Associates, LLC
315 10th Ave. N., Suite 122
Nashville, TN 37203

Attention: James E. Trotter, Radiation Safety Officer

Gentlemen:

As requested by James E. Trotter and in accordance with his letter dated July 11, 1997, with attachment, your Tennessee Radioactive Material License number R-19218-D02 is amended as follows:

To change Conditions 14A. and 22. These conditions will now read as follows:

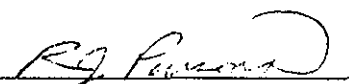
14. A. Radioactive material authorized by this license shall be used by James E. Trotter, or Charles Ervin.
22. Except as specifically provided otherwise by this license, the licensee shall possess and use radioactive material described in Items 6, 8, and 9 of this license in accordance with statements, representations, and procedures contained in application dated April 14, 1997, with attachments, and letters dated June 2, 1997, and July 11, 1997, with attachment.

All other parts of this license remain unchanged.

Date July 11, 1997

For the Commissioner
Tennessee Department of
Environment and Conservation

By



Ronald J. Parsons
Health Physicist
Division of Radiological Health

TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF RADIOLOGICAL HEALTH

RADIOACTIVE MATERIAL LICENSE

Amendment 3

Page 1 of 1 Page

License Number R-19218-D02

K.S. Ware & Associates, LLC
315 10th Ave. N., Suite 122
Nashville, TN 37203

Attention: James E. Trotter, Radiation Safety Officer

Gentlemen:

As requested by James E. Trotter and in accordance with his letter dated July 31, 1997, with attachments, your Tennessee Radioactive Material License number R-19218-D02 is amended as follows:

To change Conditions 14A. and 22. These conditions will now read as follows:

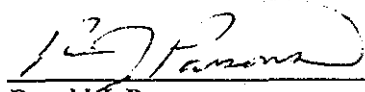
14. A. Radioactive material authorized by this license shall be used by James E. Trotter, Charles Ervin, or by individuals who have satisfactorily completed the licensee's training course or a training course provided by a device manufacturer, and have been instructed in the licensee's operating and emergency procedures. Records of training for each user shall be maintained by the licensee for inspection by the Department.
22. Except as specifically provided otherwise by this license, the licensee shall possess and use radioactive material described in Items 6, 8, and 9 of this license in accordance with statements, representations, and procedures contained in application dated April 14, 1997, with attachments, and letters dated June 2, 1997, July 11, 1997, with attachment, and July 31, 1997, with attachments.

All other parts of this license remain unchanged.

Date August 6, 1997

For the Commissioner
Tennessee Department of
Environment and Conservation

By



Ronald J. Parsons
Health Physicist
Division of Radiological Health

TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF RADIOLOGICAL HEALTH

RADIOACTIVE MATERIAL LICENSE

Amendment 4

Page 1 of 1 Page

License Number R-19218-D02

K.S. Ware & Associates, LLC
315 10th Ave. N., Suite 122
Nashville, TN 37203

Attention: James E. Trotter, Radiation Safety Officer

Gentlemen:

As requested by James E. Trotter and in accordance with his letter dated April 29, 1998, your Tennessee Radioactive Material License number R-19218-D02 is amended as follows:

To delete Items 6A, 6B, 8A, 8B, 9A, 9B, 10A, and 10B. These Items are hereby deleted.

To change Items 9C, 9D, and Condition 22. These items and this condition will now read as follows:

9.C. Two (2) sources. No single source to exceed 9 millicuries

9.D. Two (2) sources. No single source to exceed 44 millicuries

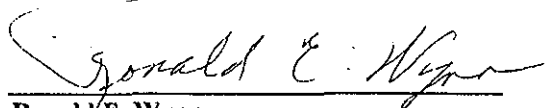
22. Except as specifically provided otherwise by this license, the licensee shall possess and use radioactive material described in Items 6, 8, and 9 of this license in accordance with statements, representations, and procedures contained in application dated April 14, 1997, with attachments, and letters dated June 2, 1997, July 11, 1997, with attachment, July 31, 1997, with attachments, and April 29, 1998.

All other parts of this license remain unchanged.

Date April 30, 1998

For the Commissioner
Tennessee Department of
Environment and Conservation

By



Ronald E. Wynn
Health Physicist
Division of Radiological Health

TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF RADIOLOGICAL HEALTH

RADIOACTIVE MATERIAL LICENSE

Amendment 5

Page 1 of 1 Page

License Number R-19218-D02

K.S. Ware & Associates, LLC
315 10th Ave. N., Suite 122
Nashville, TN 37203

Attention: James E. Trotter, Radiation Safety Officer

Gentlemen:

As requested by James E. Trotter and in accordance with his letter dated September 15, 1998, with attachments, your Tennessee Radioactive Material License number R-19218-D02 is amended as follows:

To change Conditions 14A. and 22. These conditions will now read as follows:

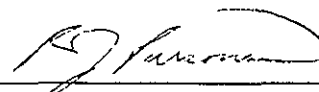
14. A. Radioactive material authorized by this license shall be used by James E. Trotter, Charles Ervin, Laurie Bourg, or by individuals who have satisfactorily completed the licensee's training course or a training course provided by a device manufacturer, and have been instructed in the licensee's operating and emergency procedures. Records of training for each user shall be maintained by the licensee for inspection by the Department.
22. Except as specifically provided otherwise by this license, the licensee shall possess and use radioactive material described in Items 6, 8, and 9 of this license in accordance with statements, representations, and procedures contained in application dated April 14, 1997, with attachments, and letters dated June 2, 1997, July 11, 1997, with attachment, July 31, 1997, with attachments, April 29, 1998, and September 15, 1998, with attachments.

All other parts of this license remain unchanged.

Date September 23, 1998

**For the Commissioner
Tennessee Department of
Environment and Conservation**

By



**Ronald J. Parsons
Health Physicist
Division of Radiological Health**

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF RADIOLOGICAL HEALTH**

RADIOACTIVE MATERIAL LICENSE

Amendment 6

Page 1 of 1 Page

License Number R-19218-D02

**K.S. Ware & Associates, LLC
315 10th Avenue North, Suite 122
Nashville, Tennessee 37203**

Attention: James E. Trotter, Radiation Safety Officer

Gentlemen:

As requested by James E. Trotter and in accordance with his letters dated December 31, 1998, with attachments, and March 17, 1998 (received March 22, 1999), with attachment, your Tennessee Radioactive Material License number R-19218-D02 is amended as follows:

To change Condition 22. This condition will now read as follows:


22. Except as specifically provided otherwise by this license, the licensee shall possess and use radioactive material described in Items 6, 8, and 9 of this license in accordance with statements, representations, and procedures contained in application dated April 14, 1997, with attachments, and letters dated June 2, 1997, July 11, 1997, with attachment, July 31, 1997, with attachments, April 29, 1998, September 15, 1998, with attachments, December 31, 1998, with attachment, and March 17, 1998 (received March 22, 1999), with attachments.

This amendment acknowledges the change of the physical storage location of the gauges listed on this license, to a new location within the lab.

All other parts of this license remain unchanged.

Date: April 7, 1999

**For the Commissioner
Tennessee Department of
Environment and Conservation**

By 
**Gerald W. Bacon
Health Physicist
Division of Radiological Health**

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF RADIOLOGICAL HEALTH**

RADIOACTIVE MATERIAL LICENSE

Amendment 7

Page 1 of 1 Page

License Number R-19218-D02

K.S. Ware & Associates, LLC ;
315 10th Avenue North, Suite 122
Nashville, Tennessee 37203

Attention: James E. Trotter, Radiation Safety Officer

Gentlemen:

As requested by James E. Trotter and Charles Ervin, and in accordance with their letter dated April 14, 1999, your Tennessee Radioactive Material License number R-19218-D02 is amended as follows:


To change Conditions 14 and 22. These conditions will now read as follows:

14. A. Radioactive material authorized by this license shall be used by James E. Trotter, Charles Ervin, Laurie Bourg, or by individuals who have satisfactorily completed the licensee's training course or a training course provided by a device manufacturer, and have been instructed in the licensee's operating and emergency procedures. Records of training for each user shall be maintained by the licensee for inspection by the Department.
- B. The Radiation Safety Officer for this license is Charles Ervin.
22. Except as specifically provided otherwise by this license, the licensee shall possess and use radioactive material described in Items 6, 8, and 9 of this license in accordance with statements, representations, and procedures contained in application dated April 14, 1997, with attachments, and letters dated June 2, 1997, July 11, 1997, with attachment, July 31, 1997, with attachments, April 29, 1998, September 15, 1998, with attachments, December 31, 1998, with attachment, March 17, 1998 (received March 22, 1999), with attachments, and April 14, 1999.

All other parts of this license remain unchanged.

Date: April 26, 1999

**For the Commissioner
Tennessee Department of
Environment and Conservation**

By 
**Gerald W. Bacon
Health Physicist
Division of Radiological Health**

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF RADIOLOGICAL HEALTH**

RADIOACTIVE MATERIAL LICENSE

Amendment 8

Page 1 of 1 Page

License Number R-19218-D02

K.S. Ware & Associates, LLC
315 10th Avenue North, Suite 122
Nashville, Tennessee 37203

Attention: James E. Trotter, Radiation Safety Officer

Gentlemen:

As requested by Charles Ervin and in accordance with his letter dated July 6, 2000, your Tennessee Radioactive Material License number R-19218-D02 is amended as follows:

To change Items 9.C and 9.D, and Conditions 14 and 22. These items and this condition will now read as follows:

9.C. Three (3) sources. No single source to exceed 9 millicuries.

9.D. Three (3) sources. No single source to exceed 44 millicuries.

14. A. Radioactive material authorized by this license shall be used by Charles Ervin, Eric Snyder, Victor B. Pusser, Emily Hughes, Bill Bruce, or by other individuals who have satisfactorily completed the licensee's training course or a training course provided by the device manufacturer, and have been instructed in the licensee's operating and emergency procedures. Records of training for each user shall be maintained by the licensee for inspection by the Department.

B. The Radiation Safety Officer for this license is Charles Ervin.

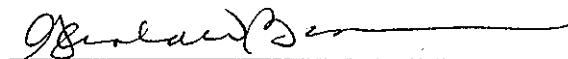
22. Except as specifically provided otherwise by this license, the licensee shall possess and use radioactive material described in Items 6, 8, and 9 of this license in accordance with statements, representations, and procedures contained in application dated April 14, 1997, with attachments, and letters dated June 2, 1997, July 11, 1997, with attachment, July 31, 1997, with attachments, April 29, 1998, September 15, 1998, with attachments, December 31, 1998, with attachment, March 17, 1998 (received March 22, 1999), with attachments, April 14, 1999, and July 6, 2000.

All other parts of this license remain unchanged.

Date: November 27, 2000

**For the Commissioner
Tennessee Department of
Environment and Conservation**

By



**Gerald W. Bacon
Health Physicist
Division of Radiological Health**

**TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION
DIVISION OF RADIOLOGICAL HEALTH**

RADIOACTIVE MATERIAL LICENSE

Amendment 9

Page 1 of 1 Page

License Number R-19218-D07

K.S. Ware & Associates, LLC
54 Lindsley Avenue
Nashville, Tennessee 37210

Attention: Charlie Ervin, Radiation Safety Officer

Gentlemen:

As requested by Charlie Ervin and in accordance with his letters dated January 3, 2002, with attachment, and May 9, 2002, with attachment, your Tennessee Radioactive Material License number R-19218-D02 is amended as follows:

To change Items 2, 3, 4, and Condition 22. These will now read as follows:


2. 54 Lindsley Avenue
Nashville, Tennessee 37210
3. R-19218-D07
4. April 30, 2007
22. Except as specifically provided otherwise by this license, the licensee shall possess and use radioactive material described in Items 6, 8, and 9 of this license in accordance with statements, representations, and procedures contained in application dated April 14, 1997, with attachments, and letters dated June 2, 1997, July 11, 1997, with attachment, July 31, 1997, with attachments, April 29, 1998, September 15, 1998, with attachments, December 31, 1998, with attachment, March 17, 1998 (received March 22, 1999), with attachments, April 14, 1999, July 6, 2000, January 3, 2002, with attachment, and May 9, 2002, with attachment.

This amendment extends the expiration date of the license to that in Item 4.

All other parts of this license remain unchanged.

Date: May 17, 2002

**For the Commissioner
Tennessee Department of
Environment and Conservation**

By 
**Gerald W. Bacon
Health Physicist
Division of Radiological Health**