



Q-2

June 28, 2007

Michael A. Perkins
Division of Nuclear Materials Safety
U. S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406-1415

03014788

Re: Amendment of License No. 47-09375-07 for US Silica (Control No. 140730)

Dear Mr. Perkins:

U. S. Silica Company, Inc. (US Silica) maintains License No. 47-09375-07 (Amendment 20) for possession and use of sealed radiation sources in level (density) gauges at a variety of locations in West Virginia, Missouri, Pennsylvania and New Jersey. At 5:00 p.m. on June 27, 2007, the plant at 1101 Railroad Avenue in Newport, New Jersey was sold to Hanson Aggregates BMC, Inc. (Hanson). Included in the sale were two level gauges that are present at the site. These are a TN Technologies, Model 5201 gauge (Serial No. B3210) containing 100 mCi of Cs-137 (Source Serial No. GV-8442) and a TN Technologies, Model 5176 gauge (Serial No. 141) containing 2,000 mCi of Cs-137 (source Serial No. L-304).

On June 14, 2007, a TN Technologies, Model 5201 gauge, containing 50 mCi of Cs-137 (Source Serial No. GV-8890), that had been in storage at the site, was picked up by ADCO Services of Tinley Park, Illinois for disposal at the Barnwell facility in South Carolina. That device was leak-tested less than six months from the pick-up date. A copy of the Certificate, along with the shipping manifest, is attached.

Because the Railroad Avenue site has been sold, US Silica wishes to amend License No. 47-09375-07 to remove the site from the listing of authorized use locations shown in Provision 10. The two gauges that remain on site will be transferred to Hanson, who also holds a USNRC license (No. 37-09708-01 for Hanson Aggregates Pennsylvania, Inc.), but it is for possession/use of Ohmart gauges only. Therefore, pursuant to our letter to Dr. Satir Lodhi of June 27, 2007, US Silica will not relinquish control of the devices to Hanson until such time as their license has been amended, a process that is being handled under a separate licensing action (Control No. 140729).

Both of the gauges present at the Railroad Avenue facility were leak-tested on June 14, 2007, with the Certificates due shortly. No leaking sources have ever been identified at the facility. An "in place" radiation survey of the gauges, for the purpose of demonstrating that their external radiation levels are consistent with those in the applicable device registration (i.e., Registration No. TX0634D138B for the Model 5201 and Registration No. TX572D103U for the Model 5176) will be performed on June 29, 2007. All records associated with this action, including the survey report,

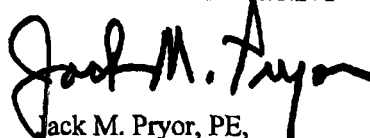
NMSS/RGN1 MATERIALS-002

Certificates of Leak Test and disposal records, will be maintained as part of US Silica's license compliance file and will be made available to the USNRC for review during future inspections.

Once again, although the Railroad Avenue site is now owned by Hanson, the two remaining devices remain under the possession and control of US Silica until such time as License No. 47-09375-07 has been amended. Please do not hesitate to call me at (304) 258-2500 if I can facilitate your action on this request or answer any questions. Thank you very much and we look forward to timely release of the Railroad Avenue site.

Sincerely,

U. S. SILICA COMPANY



Jack M. Pryor, PE,
Corporate Radiation Safety Officer

cc: C. Scott Eves
J. Manion, Esq.
G. Fell
C. D. Berger, CHP - IEM

ATTACHMENT

304 258 0283

US Silica

04:50:22 p.m.

06-20-2007

4/4

Thermo
FISHER SCIENTIFIC CORPORATION**LEAK TEST CERTIFICATION**

This is to certify that the product identified below was tested for removable contamination in accordance with Texas Radioactive Material License Number L03524, Condition 19.

Customer: 301701
U.S. SILICA INC.
1101 Railroad Ave.
Newport, NJ 08345

Device ID:



Product:

TN TECHNOLOGIES

Model:

5201

Serial No. B3414

Isotope:

Cs-137

Activity: 50 mCi

Source Serial: GV-8890

Location:

STORAGE

Test Type:

Lab Counting

Result:

☐ Positive☒ Negative

<2.6E-5 uCi

Analyzed on: January 04, 2007

This certificate should be maintained as a permanent record of the leak test of this product.

Michael Fontenot

Person Responsible

US Silica Inc.

Sign. Date, Title

01/04/07

www.thermo.com

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TO: 13042583588

15567859129

JUN-21-2007 07:58 FROM: U.S. SILICA

