

**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.

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|---|---|---|
| Licensee<br>1. Technical Construction Services, Inc.<br>2. 5236 N. 38th Street<br>Augusta, MI 49012 |   | In accordance with letter dated<br><b>April 18, 2007,</b><br>3. License number 21-26788-01 is renewed in its<br>entirety to read as follows:<br>4. Expiration date <b>February 29, 2008</b><br>5. Docket No. 030-34409<br>Reference No. |
| 6. Byproduct, source, and/or special<br>nuclear material  | 7. Chemical and/or physical form  | 8. Maximum amount that licensee may<br>possess at any one time under this<br>license  |
| A. Cesium-137   | A. Sealed Source (Troxler<br>Dwg. No. A-102112)                             | A. 30 sources not to exceed 9<br>millicuries each   |
| B. Americium-241  | B. Sealed Source (Troxler<br>Dwg. No. A-102451)                             | B. 30 sources not to exceed 44<br>millicuries each  |
| C. Americium-241  | C. Sealed Source (Troxler<br>Dwg. No. A-10037)                              | C. 3 sources not to exceed 300<br>millicuries each  |
| D. Americium-241  | D. Sealed Source (Troxler<br>Dwg. No. A-100608)                             | D. 3 sources not to exceed 100<br>millicuries each  |
| E. Californium-252  | E. Sealed Source (Troxler<br>Dwg. Nos. A-105162<br>or A-105862)             | E. No single source to exceed<br>100 microcuries  |
| F. Cesium-137   | F. Sealed Source (HSI Dwg.<br>No. 2200064)                                  | F. 10 sources not to exceed 11<br>millicuries each  |
| G. Americium-241  | G. Sealed Source (HSI Dwg.<br>No. 2200067)                                  | G. 10 sources not to exceed 44<br>millicuries each  |
| H. Cesium-137   | H. Sealed Source (Boart<br>Longyear Company CPN<br>Products, Model CPN-131) | H. 10 sources not to exceed 10<br>millicuries   |
| I. Americium-241  | I. Sealed Source (Boart<br>Longyear Company CPN<br>Products, Model CPN-131) | I. 10 sources not to exceed 50<br>millicuries   |

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## 9. Authorized Use:

- A. and B. To be used in Troxler Model 3400 Series moisture/density gauges.
- C. or D. To be used in Troxler Model 3241 Series asphalt content gauge.
- E. To be used in Troxler Model 3242 laboratory asphalt content system.
- F. and G. To be used in Humbolt Scientific, Inc. Model 5001 moisture/density gauges.
- H. and I. To be used in Boart Longyear Company CPN Products MC Series moisture/density gauges.

CONDITIONS

- 10. Licensed material may be stored at the licensee's facilities located at 5236 N. 38th, St. Augusta, Michigan 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. The Radiation Safety Officer for this license is Gregory S. Bills.
- 12. Licensed material shall only be used by, or under the supervision and in the physical presence of, Gregory S. Bills or individuals who have successfully completed the manufacturer's training program for gauge users, have been instructed in the licensee's routine and emergency operating procedures and who have been designated by the Radiation Safety Officer.
- 13.
  - A. Sealed sources 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 received from another person shall not be put into use until tested.
  - D. Sealed sources need not be leak tested if 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 shall be stored for a period of more than 10 years without being tested for leakage and/or contamination.

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- E. 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. The report shall specify the source involved, the test results, and corrective action taken.
- F. The licensee is authorized to collect leak test samples for analysis by Stan Huber Consultants, Inc. Alternatively, tests for leakage and/or contamination may be performed by persons specifically licensed by the Commission or an Agreement State to perform such services.
14. Sealed sources containing licensed material shall not be opened or sources removed from source holders by the licensee.
15. When performing tests at temporary job sites, the authorized user shall not leave the moisture/density gauge unattended. Upon completion of tests the device shall be locked in the licensee's vehicle or a secure building to prevent unauthorized use, loss, or theft.
16. The licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license.
17. 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."
18. Each portable nuclear 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.
19. Any cleaning, maintenance, or repair of the gauge(s) 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. 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.

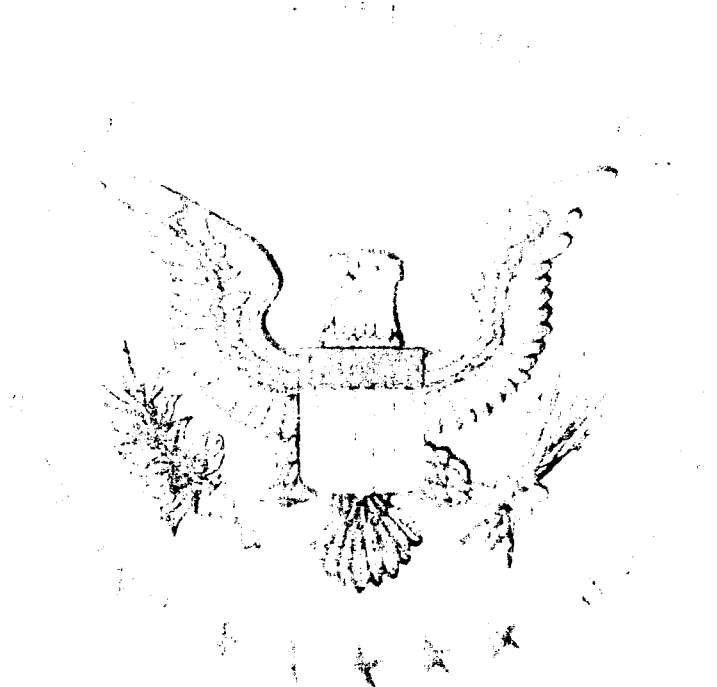
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21. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. The U.S. Nuclear 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 March 21, 1997; and

B. Letters dated April 3, 1997, January 23, 2004, March 30, 2004 and **April 18, 2007**.



FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date SEP 19 2007

By *Toye L. Simmons*  
Toye L. Simmons  
Materials Licensing Branch  
Region III