



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
612 EAST LAMAR BLVD, SUITE 400
ARLINGTON, TEXAS 76011-4125

September 1, 2011

Apex Surveying, Inc.
ATTN: Terry Zenk
President and Radiation Safety Officer
P.O. Box 1751
Riverton, Wyoming 82501

SUBJECT: REQUEST FOR ADDITIONAL INFORMATION

The NRC has completed the technical review of the renewal application dated July 26, 2011, and the following deficiencies were identified. Please provide the following information or commitments for NRC review within 20 business days from the date of receipt of this letter. Make reference to mail control number 575664 when providing your response.

1. The renewal application did not request to extend the authorization to perform work 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. State if you are requesting that this authorization be included in the renewal application.
2. 10 CFR 30.34, Terms and Conditions of Licenses, was revised to enhance the security requirements for portable gauges containing byproduct material. This revision became effective July 11, 2005. Revised 10 CFR 30.34 now requires that "each portable gauge licensee shall use a minimum of two independent physical controls that form tangible barriers to secure portable gauges from unauthorized removal, whenever portable gauges are not under the control and constant surveillance of the licensee" (i.e., when not in use). Guidance on these security procedures is provided in the errata sheet to Appendix H of NUREG-1556, Volume 1, revision 1, which can be found at: <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/v1/r1/apph-errata.pdf>. Commit to the following language: "We will implement and maintain the "Operating, Emergency and Security Procedures" described in the errata sheet to Appendix H of NUREG-1556, Volume 1, Revision 1, and will provide copies of these procedures to all gauge users and at each job site."
3. Commit to the following language: "Before obtaining licensed materials, the proposed RSO will have successfully completed one of the training courses described in Criteria in the section entitled "Individual(s) Responsible for Radiation Safety Program and Their Training and Experience – Radiation Safety Officer" in NUREG-1556, Vol. 1, Revision 1, dated November 2001."
4. Commit to the following language: "We will either possess and use, or have access to and use, a radiation survey meter that meets the Criteria in the section entitled "Radiation Safety Program – Instruments" in NUREG-1556, Vol. 1, Revision 1, dated November 2001, in the event of an accident."

5. Commit to the following language: "Leak tests will be performed at intervals approved by NRC or an Agreement State and specified in the Sealed Source and Device Registration Sheet. Leak tests will be performed by an organization authorized by NRC or an Agreement State to provide leak testing services for other licensees or using a leak test kit supplied by an organization authorized by NRC or an Agreement State to provide leak test kits to other licensees and according to the kit supplier's instructions."
6. Commit to the following language: "Routine Cleaning and Lubrication - We will implement and maintain procedures for routine maintenance of our gauges according to each manufacturer's recommendations and instructions."
7. Commit to the following language: "Non-Routine Maintenance - We will send the gauge to the manufacturer or other person authorized by NRC or an Agreement State to perform non-routine maintenance or repair operations that require the removal of the source or source rod from the gauge."
8. Commit to the following language: "Each portable nuclear gauge will have its plunger locked or will have its outer container locked to prevent unauthorized or accidental removal of the sealed source from its shielded position. The gauge or its container will be locked when in transport, storage or when not under the direct surveillance of an authorized user."
9. Commit to the following language: "We will comply with 49 CFR 172.704(c) that requires Hazmat employees to receive initial training and recurrent training at least once every 3 years. The elements of the Hazmat training, as described in 49 CFR 172.704(a), will be: (1) general awareness/familiarization training, (2) function-specific training, and (3) safety training."
10. Submit copy of the current bill of lading (shipping papers) used by your company to transport the portable gauge. These documents will be reviewed by the NRC as part of the renewal process.

Thank you for your cooperation.

Sincerely,

/RA/

Roberto J. Torres, Senior Health Physicist
Nuclear Materials Safety Branch B

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Control: 575664