

Br. 3

Betterroads Asphalt Corporation
Attn: Maria Cordero
P.O. Box 21420
San Juan, PR 00928-1420
(787) 760-1094

May 31, 2012

X

U.S. Nuclear Regulatory Commission
Region I DNMS
2100 Renaissance Blvd
King of Prussia, PA 19406

03019320

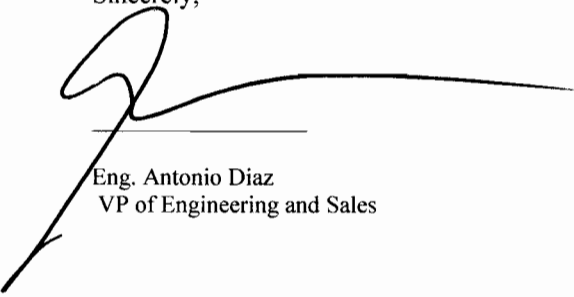
RE: NRC license renewal 52-19845-01

Dear Sir or Madam:

Please find enclosed a renewal application for the use and handling of radioactive materials. Please place a rush on this request. Please fax a copy of the license to Mr. Rhoe at 787-292-7976.

If your need any further information, please feel free to contact Maria Cordero at 787-760-1094.

Sincerely,


Eng. Antonio Diaz
VP of Engineering and Sales

RECEIVED
REGION I

2012 JUN -5 AM 7:15

577688
NMSS/RGN1 MATERIALS-002

Item 1 Address

- a) Mailing address
Maria Cordero, RSO
Betterroads Asphalt Corporation
P.O. Box 21420
San Juan, PR 00928-1420
(787) 760-1094
787-748-6720 (fax)

- b) Main Office address
Betterroads Asphalt Corporation
State Road 845
Km. 1.6
Cupey Bajo
Rio Piedras, PR
(787) 760-1094
787-748-6720 (fax)

- c) Physical location (storage/location of the Nuclear gauge & records)
 - Plant #1
Betterroads Asphalt Corporation
State Road 845
Km. 1.6
Cupey Bajo
Rio Piedras, PR. 00928

 - Plant #3
Betterroads Asphalt Corporation
Street C
Lot #39
Urb. Industrial Luchetti
Bayamon, PR. 00961

 - Plant #20
State Road #2
Km. 139.6
Sector La Cadena
Aguada, PR. 00602

 - Plant #7
Turpentine Road
Bovoni State 13-F
St. Thomas USVI 00801

Please authorize the use at any temporary job site location within US territories.

The following is based on Portable Gauge Licenses, NUREG 1556 Vol 1, November 2001, Appendix B

Item 5 and 6: Materials to be Possessed and Proposed Uses

Radioisotope	Manufacturer	Quantity	Use as Listed on SSD Certificate	Other Uses Not Listed on SSD Certificate
Cs-137	Device manufacturer: CPN(s): MC-1, MC-3, MC-1 DR, MC-1 DRP	Not to exceed the maximum activity per device as specified in Sealed Source and Registration Certificate. 10 mCi 200 mCi total	Yes	Not Applicable
Am-241	Device manufacturer: CPN(s): MC-1, MC-3, MC-1 DR, MC-1 DRP	Not to exceed the maximum activity per device as specified in Sealed Source and Registration Certificate. 50 mCi 1000 mCi Total	Yes	Not Applicable

We currently possess 16 and we would like to have a limit of 20.

Item No. and Title	Response
7. Individual(s) responsible for the radiation safety program and their training and experience – Radiation Safety Officer. Name: Maria Cordero	Before obtaining licensed material, the proposed RSO will have successfully completed one of the training courses described in Criteria in the section entitled “individuals(s) Responsible for Radiation Safety Program and Their Training and Experience- Radiation Safety Officer” in NUREG-1556, Vol 1, Rev. 1 dated November 2001.
8. Training for individuals working in or frequenting Restricted areas.	Before using licensed materials, authorized users will have successfully completed one of the training course described in Criteria in the section entitled “Training for Individuals Working In or Frequenting Restricted Areas” in NUREG-1556, Vol 1, Rev. 1 dated November 2001.
9. Facilities and equipment.	No information needs to be submitted in response to this item; key issues are addressed under “Radiation Safety Program – Public Dose” and “Radiation Safety Program – Operating and Emergency Procedures.”
10. Radiation Safety Program – Audit Program.	The applicant is not required to, and should not, submit its audit program to NRC for review during the licensing phase.
10. Radiation Safety Program – Termination of activities.	The applicant is not required to submit a response to the termination of activities section during the initial application. However, when the license expires when the licensee ceases operation, NRC Form 314 must be submitted.
10. Radiation Safety Program – Survey Instrument.	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, Rev. 1 dated November 2001.
10. Radiation Safety Program – Material Receipt and Accountability.	Physical inventories will be conducted at intervals not to exceed 6 months, to account for all sealed sources and devices received and possessed under the license.
10. Radiation Safety Program – Occupational Dosimetry.	Either we will maintain, for inspection by NRC, documentation demonstrating that unmonitored individuals are not likely to receive a radiation dose in excess of 10 percent of the allowable limits in 10 CFR Part 20, or we will provide Dosimetry processed and evaluated by an NVLAP approved processor that is exchanged at a frequency recommended by the processor.
10. Radiation Safety Program – Public Dose.	The applicant is not required to submit a response to the public dose section during the licensing phase. This matter will be examined during an inspection.
10. Radiation Safety Program – Operating and Emergency Procedures.	Operating and emergency procedures will be developed, implemented, and maintained and will meet the Criteria in the section entitled “Radiation Safety Program – Operating and Emergency Procedures” in NUREG-1556, Vol 1, Rev. 1 dated November 2001

10. Radiation Safety Program – Leak Test.	Leak tests will be performed at intervals approved by the NRC or an Agreement State and specified in the sealed Sources and Device Registration Sheets. 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 Agreement State to provide leak tests kits to other licensees and according to the kit supplier's instructions.
10. Radiation Safety Program – Maintenance.	<p><i>Routine Cleaning and Lubrication</i></p> <p>We will implement and maintain procedures for routine maintenance of our gauges according to each manufacturer's recommendations and instructions.</p> <p><i>Non-Routine Maintenance</i></p> <p>We will send the gauge to the manufacturer or other person authorized by the 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.</p>
10. Radiation Safety Program – Transportation.	The applicant is not required to submit a response to transportation during the licensing process. However, this issue will be reviewed during an inspection.
11. Waste Management – Gauge Disposal and Transfer.	The applicant is not required to submit a response to waste management during the licensing process. However, the licensee should develop, implement, and maintain gauge transfer and disposal procedures in its radiation protection program.

APPLICATION FOR MATERIAL LICENSE

Estimated burden per response to comply with this mandatory collection request: 4.4 hours. Submittal of the application is necessary to determine that the applicant is qualified and that adequate procedures exist to protect the public health and safety. Send comments regarding burden estimate to the Records and FOIA/Privacy Services Branch (T-5 F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by internet e-mail to infocollects@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0120), 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.

INSTRUCTIONS: SEE THE APPROPRIATE LICENSE APPLICATION GUIDE FOR DETAILED INSTRUCTIONS FOR COMPLETING APPLICATION. SEND TWO COPIES OF THE ENTIRE COMPLETED APPLICATION TO THE NRC OFFICE SPECIFIED BELOW.

APPLICATION FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH:

DIVISION OF INDUSTRIAL AND MEDICAL NUCLEAR SAFETY
OFFICE OF NUCLEAR MATERIALS SAFETY AND SAFEGUARDS
U.S. NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555-0001

ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS:

IF YOU ARE LOCATED IN:

ALABAMA, CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, FLORIDA, GEORGIA, KENTUCKY, MAINE, MARYLAND, MASSACHUSETTS, MISSISSIPPI, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, NORTH CAROLINA, PENNSYLVANIA, PUERTO RICO, RHODE ISLAND, SOUTH CAROLINA, TENNESSEE, VERMONT, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA, SEND APPLICATIONS TO:

LICENSING ASSISTANCE TEAM
DIVISION OF NUCLEAR MATERIALS SAFETY
U.S. NUCLEAR REGULATORY COMMISSION, REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PA 19406-1415

IF YOU ARE LOCATED IN:

ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, SEND APPLICATIONS TO:

MATERIALS LICENSING BRANCH
U.S. NUCLEAR REGULATORY COMMISSION, REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, IL 60532-4352

ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, HAWAII, IDAHO, KANSAS, LOUISIANA, MONTANA, NEBRASKA, NEVADA, NEW MEXICO, NORTH DAKOTA, OKLAHOMA, OREGON, PACIFIC TRUST TERRITORIES, SOUTH DAKOTA, TEXAS, UTAH, WASHINGTON, OR WYOMING, SEND APPLICATIONS TO:

NUCLEAR MATERIALS LICENSING BRANCH
U.S. NUCLEAR REGULATORY COMMISSION, REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TX 76011-4005

PERSONS LOCATED IN AGREEMENT STATES SEND APPLICATIONS TO THE U.S. NUCLEAR REGULATORY COMMISSION ONLY IF THEY WISH TO POSSESS AND USE LICENSED MATERIAL IN STATES SUBJECT TO U.S. NUCLEAR REGULATORY COMMISSION JURISDICTIONS.

1. THIS IS AN APPLICATION FOR (Check appropriate item)

- ☐ A. NEW LICENSE
☐ B. AMENDMENT TO LICENSE NUMBER
☒ C. RENEWAL OF LICENSE NUMBER 52-19845-01

2. NAME AND MAILING ADDRESS OF APPLICANT (Include ZIP code)

Betterroads Asphalt Corporation
Ms. Maria Cordero
P.O. Box 21420
San Juan, PR 00928-1420

3. ADDRESS WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED

See Attached

4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

Ms. Maria Cordero

TELEPHONE NUMBER

(787) 760-1094

SUBMIT ITEMS 5 THROUGH 11 ON 8-1/2 X 11" PAPER. THE TYPE AND SCOPE OF INFORMATION TO BE PROVIDED IS DESCRIBED IN THE LICENSE APPLICATION GUIDE.

5. RADIOACTIVE MATERIAL

- a. Element and mass number; b. chemical and/or physical form; and c. maximum amount which will be possessed at any one time.

6. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED.

7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING EXPERIENCE.

8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS.

9. FACILITIES AND EQUIPMENT.

10. RADIATION SAFETY PROGRAM.

11. WASTE MANAGEMENT.

12. LICENSE FEES (See 10 CFR 170 and Section 170.31)

FEE CATEGORY **3P** AMOUNT ENCLOSED \$ **0.00**

13. CERTIFICATION. (Must be completed by applicant) THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BINDING UPON THE APPLICANT.

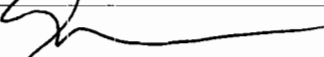
THE APPLICANT AND ANY OFFICIAL EXECUTING THIS CERTIFICATION ON BEHALF OF THE APPLICANT, NAMED IN ITEM 2, CERTIFY THAT THIS APPLICATION IS PREPARED IN CONFORMITY WITH TITLE 10, CODE OF FEDERAL REGULATIONS, PARTS 30, 32, 33, 34, 35, 36, 39, AND 40, AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF.

WARNING: 18 U.S.C. SECTION 1001 ACT OF JUNE 25, 1948 62 STAT. 749 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.

CERTIFYING OFFICER -- TYPED/PRINTED NAME AND TITLE

Antonio J. Pate ENG. - SAFESUP

SIGNATURE



DATE

31-MAY-12

FOR NRC USE ONLY

TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
			\$		
APPROVED BY				DATE	



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
WASHINGTON, D.C. 20555-0001

May 1, 2012

SUBJECT: NOTICE OF LICENSE EXPIRATION

Your U.S. Nuclear Regulatory Commission (NRC) license will expire within the next four months. If you wish to continue your licensed program, you should prepare and submit a renewal application on NRC Form 313, following regulations (10 CFR) and licensing guidance (NUREG 1556, Volume/s) listed for your program in Enclosure 3. If the application reflects any significant changes in your licensed program, those changes must be clearly indicated.

You must submit an application for the renewal of your license at least 30 days before the expiration date on the license. If your renewal application is filed (delivered or postmarked) before the expiration date, NRC will use discretion and your license will remain in effect until NRC takes final action on your application.

However, if your renewal application cannot be filed before the expiration date, you should contact NRC immediately to see if you can obtain a temporary extension of the expiration date. Without NRC approval of that extension request, your license expires on the expiration date stated on the license. If your license expires, you no longer have a valid license, but you are required to maintain all licensed materials in safe, locked storage until your application for a license or request for termination is submitted and approved. Use of the licensed material after the expiration of your license may subject you to criminal and/or civil sanctions.

If you do not wish to renew your license, you must dispose of or transfer all licensed radioactive material in your possession in an authorized manner (see the appropriate requirements in 10 CFR 30.36, 40.42, or 70.38); then complete the enclosed Form NRC-314, "Certificate of Disposition of Materials" and return it before the expiration date of your license, with a request that your license be terminated. If you cannot dispose of or transfer all licensed radioactive material in your license before the expiration date, you must request a license renewal, for "storage only", of the radioactive material, to avoid enforcement action for violations involving the possession of licensable material without a valid license. Enforcement action may include a substantial monetary civil penalty that could also include daily civil penalties until you achieve compliance.

This notice of your license expiration is sent for your convenience only and does not mean that similar notices will be sent in the future. The responsibility for timely submission of the license renewal remains with the licensee. If you have any questions about this notice or license expiration/renewal, please contact the NRC Regional Office that handles your license.

Enclosures

1. Form NRC 313
2. Form NRC 314
3. Table of 10 CFR Parts and NUREG -1556,
Volume/s by Program Code

Table of 10 CFR Parts and NUREG -1556, Volume/s
by Program Code

The following Table indicates the appropriate regulations (10 CFR Parts) and licensing guidance (NUREG Volume/s) appropriate for your NRC licensed activities. The Table is set up by program codes. Your primary program code for the license that is expiring is located in the upper right hand corner of your Notice of License Expiration letter. If the expiring license includes uses of NRC regulated materials in addition to those described by the primary program code, you will need to review the "description" column of the following Table to identify the other appropriate "Parts" and "guides" that you will need in preparing your renewal application.

Obtaining referenced documents

1. If you have access to the internet, you may access the electronic versions of both the Title 10 of the Code of Federal Regulations (10 CFR Parts) and the appropriate volume(s) of NUREG 1556 from the Reference Library on NRC's web page (<http://www.nrc.gov>).
2. They may also be purchased for a fee from either:
 - a. The Superintendent of Documents, U.S. Printing Office, P.O. Box 37082, Washington, D.C. 20402-9328, (http://www.access.gpo.gov/su_docs) or
 - b. The National Technical Information Service, Springfield ,Va 22161-0002 (<http://www.ntis.gov>)
3. Individual copies may be obtained, to the extent of supply, upon written request to the Office of the Chief Information Officer, Reproduction and Distribution Services Section, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001 (e.mail at DISTRIBUTION@nrc.gov) .

This is to acknowledge the receipt of your letter application dated

5/31/12, and to inform you that the initial processing which includes an administrative review has been performed.

☒ Renewal Application (52-19845-01)
There were no administrative omissions. Your application was assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information.

☐ Please provide to this office within 30 days of your receipt of this card

A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned **Mail Control Number** 577688.
When calling to inquire about this action, please refer to this control number.
You may call us on (610) 337-5398, or 337-5260.