



2251 Double Creek Drive, Suite 602  
Round Rock, TX 78664  
512.992.2087

June 15, 2012

Licensing Branch  
Division Nuclear Materials Safety  
1600 E. Lamar Blvd.  
Arlington, TX 76011

RECEIVED

JUN 18 2012

DNMS

Dear Sirs:

Wind Consultants, LLC dba Renewable Resource Consultants, LLC respectfully requests an amendment to our Materials License #42-29434-01. We have enclosed NRC Form 313, as well as a copy of our Texas License for your reference. There are no changes associate with items 7-11. We respectfully request to add the following sources and uses of those sources to our license:

A. Cs-137     Sealed source (QSA Model CDCW556; EZ Model HEG-137), 13 sources not to exceed 9 millicuries each. Sources authorized to be used in soil testing using Troxler Electronic Laboratories (TEL) Model 3400 Series Moisture Density Gauges.

B. Am-241     Sealed source (QSA Model AMNV.997; EZ Models 3021, 3027, Am1.NO2), 13 sources not to exceed 44 millicuries each. Sources authorized to be used in soil testing using TEL Model 3400 Series Moisture Density Gauges.

C. Cs-137     Sealed source (QSA Model CDC.805; EZ Model HEG-137), 2 sources not to exceed 11 millicuries each. Sources authorized to be used in soil testing using Humboldt Scientific Inc. (HIS) Model 5001 Moisture Density Gauges.

D. Am-241     Sealed source (QSA Model AMNV.997; EZ Model Am1.NO2), 2 sources not to exceed 44 millicuries each. Sources authorized to be used in soil testing using HIS Model 5001 Series Moisture Density Gauges.

E. Cs-137     Sealed source (QSA Model CDC.805; EZ Model HEG-137), 7 sources not to exceed 11 millicuries each. Sources authorized to be used in soil testing using Instrotek, Inc. (ITK) Model 3500 Moisture Density Gauges.

F. Am-241     Sealed source (QSA Model AMNV.997; EZ Model Am1.NO2), 7 sources not to exceed 44 millicuries each. Sources authorized to be used in soil testing using ITK Model 3500 Moisture Density Gauges.

We appreciate your time in this matter. Please contact me at 512-633-4514 if you have any questions regarding this request, or require further information.

Sincerely,  
Edward Brannan

Attachments: NRC Form 313  
Radioactive Materials License (TRC Form 12-1)

CC: Ken Sapien, RSO (RRC)


**PUBLIC**

- ☐ Immediate Release  
☒ Normal Release

**NON-PUBLIC**

- ☐ A.3 Sensitive-Security Related  
☐ A.7 Sensitive Internal  
☐ Other: \_\_\_\_\_

Reviewer: Julie Date: 6/21/12

<b>NRC FORM 313</b> (8-1008) 10 CFR 30, 32, 33 34, 35, 36, 39 and 40	<b>U. S. NUCLEAR REGULATORY COMMISSION</b>	<b>APPROVED BY OMB: NO. 3150-0120</b>  <b>EXPIRES: 08/31/2002</b>
<b>APPLICATION FOR MATERIAL LICENSE</b>		
<b>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.</b>		
<b>APPLICATION FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH:</b>  DIVISION OF INDUSTRIAL AND MEDICAL NUCLEAR SAFETY OFFICE OF NUCLEAR MATERIALS SAFETY AND SAFEGUARDS U.S. NUCLEAR REGULATORY COMMISSION WASHINGTON, DC 20555-0001  <b>ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS:</b> <b>IF YOU ARE LOCATED IN:</b>  CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, MAINE, MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, PENNSYLVANIA, RHODE ISLAND, OR VERMONT, SEND APPLICATIONS TO:  LICENSING ASSISTANT SECTION NUCLEAR MATERIALS SAFETY BRANCH U.S. NUCLEAR REGULATORY COMMISSION, REGION I 475 ALLENDALE ROAD KING OF PRUSSIA, PA 19406-1415  ALABAMA, FLORIDA, GEORGIA, KENTUCKY, MISSISSIPPI, NORTH CAROLINA, PUERTO RICO, SOUTH CAROLINA, TENNESSEE, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA, SEND APPLICATIONS TO:  SAM NUNN ATLANTA FEDERAL CENTER U. S. NUCLEAR REGULATORY COMMISSION, REGION II 61 FORSYTH STREET, S.W., SUITE 23785 ATLANTA, GEORGIA 30303-8031	<b>IF YOU ARE LOCATED IN:</b>  ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, SEND APPLICATIONS TO:  MATERIALS LICENSING SECTION U.S. NUCLEAR REGULATORY COMMISSION, REGION III 801 WARRENVILLE RD. Lisle, IL 60532-4351  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 SECTION U.S. NUCLEAR REGULATORY COMMISSION, REGION IV 811 RYAN PLAZA DRIVE, SUITE 400 ARLINGTON, TX 76011-8084	
<b>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.</b>		
<b>1. THIS IS AN APPLICATION FOR (Check appropriate item)</b> <input type="checkbox"/> A. NEW LICENSE <input checked="" type="checkbox"/> B. AMENDMENT TO LICENSE NUMBER _____ <input type="checkbox"/> C. RENEWAL OF LICENSE NUMBER _____	<b>2. NAME AND MAILING ADDRESS OF APPLICANT (Include Zip code)</b> Wind Consultants, LLC dba Renewable Resource Consultants, LLC 3011 South County Road 1260 Midland, TX 76706	
<b>3. ADDRESS(ES) WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED</b> Wind Consultants, LLC dba Renewable Resource Consultants, LLC 3011 South County Road 1260 Midland, TX 76706	<b>4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION</b> Edward Brannen  <b>TELEPHONE NUMBER</b> 512 633 4514	
<b>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.</b>		
<b>5. RADIOACTIVE MATERIAL</b> a. Element and mass number; b. chemical and/or physical form; and c. maximum amount which will be possessed at any one time.	<b>6. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED</b>	
<b>7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING EXPERIENCE</b>	<b>8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS</b>	
<b>9. FACILITIES AND EQUIPMENT</b>	<b>10. RADIATION SAFETY PROGRAM</b>	
<b>11. WASTE MANAGEMENT</b>	<b>12. LICENSEE FEES (See 10 CFR 170 and Section 170.31)</b> FEE CATEGORY <input type="checkbox"/> AMOUNT ENCLOSED \$ <input type="checkbox"/>	
<b>13. CERTIFICATION. (Must be completed by applicant) THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BINDING UPON THE APPLICANT.</b>  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 82 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.		
<b>CERTIFYING OFFICER - TYPED/PRINTED NAME AND TITLE</b> Edward Brannen, QA/QC Testing Manager		<b>SIGNATURE</b> 
<b>DATE</b> 6/15/12		
<b>FOR NRC USE ONLY</b>		
<b>TYPE OF FEE</b>	<b>FEE LOG</b>	<b>FEE CATEGORY</b>
<b>AMOUNT RECEIVED</b> \$	<b>CHECK NUMBER</b>	<b>COMMENTS</b>
<b>APPROVED BY</b>		<b>DATE</b>



# ITEMS 5 AND 6: MATERIALS TO BE POSSESSED AND PROPOSED USES

Yes	No	Radioisotope	Manufacturer or Distributor Model No.	Quantity	Use As Listed on SSD Certificate	Specify Other Uses Not Listed on SSD Certificate
X		Cesium-137	Sealed source manufacturer or distributor and model number: <u>See attached Letter</u>  Device manufacturer or distributor and model number: <u>See attached Letter</u>	Not to exceed either the maximum activity per source or maximum activity per device as specified in Sealed Source and Device Registration Certificate	Yes <input type="checkbox"/>  Specific description of the gauge use: _____ _____ _____ _____ _____ _____	<input type="checkbox"/> Not applicable  <input type="checkbox"/> Uses are: _____ _____ (Submit safety analysis supporting safe use)
X		Americium-241	Sealed source manufacturer or distributor and model number: <u>See attached Letter</u>  Device manufacturer or distributor and model number: <u>See attached Letter</u>	Not to exceed either the maximum activity per source or maximum activity per device as specified in Sealed Source and Device Registration Certificate	Yes <input type="checkbox"/>  Specific description of the gauge use: _____ _____ _____ _____ _____ _____	<input type="checkbox"/> Not applicable  <input type="checkbox"/> Uses are: _____ _____ (Submit safety analysis supporting safe use)

APPENDIX B

Yes	No	Radioisotope	Manufacturer or Distributor Model No.	Quantity	Use As Listed on SSD Certificate	Specify Other Uses Not Listed on SSD Certificate
		Californium-252	Sealed source manufacturer or distributor and model number: _____ Device manufacturer or distributor and model number: _____	Not to exceed either the maximum activity per source or maximum activity per device as specified in Sealed Source and Device Registration Certificate	Yes <input type="checkbox"/> Specific description of the gauge use: _____ _____ _____ _____ _____	<input type="checkbox"/> Not applicable _____ <input type="checkbox"/> Uses are: _____ (Submit safety analysis supporting safe use)
		Other Isotope (Specify):	Sealed source manufacturer or distributor and model number: _____ Device manufacturer or distributor and model number: _____	Not to exceed either the maximum activity per source or maximum activity per device as specified in Sealed Source and Device Registration Certificate	Yes <input type="checkbox"/> Specific description of the gauge use: _____	<input type="checkbox"/> Not applicable _____ <input type="checkbox"/> Uses are: _____ (Submit safety analysis supporting safe use)
Financial Assurance Required and Evidence of Financial Assurance Provided						



Department of State Health Services

# **RADIOACTIVE MATERIAL LICENSE**

Pursuant to the Texas Radiation Control Act and Texas Department of State Health Services (Agency) regulations on radiation, 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, regulations and orders of the Agency now or hereafter in effect and to any conditions specified below.

<b>LICENSEE</b>			This license is issued in response to a letter	
<b>1. Name</b> WIND CONSULTANTS LLC DBA RENEWABLE RESOURCE CONSULTANTS LLC ATTN KENNETH SAPIEN  <b>2. Address</b> 1426 RIVER FOREST DR ROUND ROCK TX 78664			Dated: March 28, 2012	
			Signed by: Kenneth Sapien	
			3. License Number L06105	Amendment Number 04
			<b>PREVIOUS AMENDMENTS ARE VOID</b>	
			4. License Expiration Date August 31, 2017	
<b>RADIOACTIVE MATERIAL AUTHORIZED</b>				
5. Radioisotope	6. Form of Material	7. Maximum Activity	8. Authorized Use	
A. Cs-137	A. Sealed source (QSA Model CDCW556; EZ Model HEG-137)	A. 13 sources not to exceed 9 millicuries each	A. Soils testing using Troxler Electronic Laboratories (TEL) Model 3400 Series moisture/density gauges.	
B. Am-241	B. Sealed source (QSA Model AMNV.997; EZ Models 3021, 3027, Am1.NO2)	B. 13 sources not to exceed 44 millicuries each	B. Soils testing using TEL Model 3400 Series moisture/density gauges.	
C. Cs-137	C. Sealed source (QSA Model CDC.805; EZ Model HEG-137)	C. 2 sources not to exceed 11 millicuries each	C. Soils testing using Humboldt Scientific Inc. (HSI) Model 5001 moisture/density gauge.	
D. Am-241	D. Sealed source (QSA Model AMNV.997; EZ Model Am1.NO2)	D. 2 sources not to exceed 44 millicuries each	D. Soils testing using HSI Model 5001 moisture/density gauge.	
E. Cs-137	E. Sealed source (QSA Model CDC.805; EZ Model HEG-137)	E. 7 sources not to exceed 11 millicuries each	E. Soil testing using InstroTek, Inc. (ITK) Model 3500 moisture/density gauges.	
F. Am-241	F. Sealed source (QSA Model AMN.V997; EZ Model Am1.NO2)	F. 7 sources not to exceed 44 millicuries each	F. Soil testing using ITK Model 3500 moisture/density gauges.	





Department of State Health Services

## RADIOACTIVE MATERIAL LICENSE

LICENSE NUMBER	AMENDMENT NUMBER
L06105	04

9. Radioactive material shall only be stored and used at:

Site Number  
001

Location  
Midland - 3011 South County Road 1260

10. Each site shall maintain documents and records pertinent to the operations at that site. Copies of all documents and records required by this license shall be maintained for Agency review at Site 001.
11. The authorized place of use is at temporary sites, in areas not under exclusive Federal jurisdiction, throughout Texas.
12. The licensee shall comply with the provisions (as amended) of Title 25 Texas Administrative Code (TAC) §289.201, §289.202, §289.203, §289.204, §289.205, §289.251, §289.252 and §289.257.
13. Radioactive material shall not be stored or used at a permanent site unless that site is specifically authorized on this license. A site is considered permanent if radioactive material is stored and/or used at that location for more than 90 days in any twelve month period.
14. The individual designated to perform the functions of Radiation Safety Officer (RSO) for activities covered by this license is Kenneth Sapien.
15. Sealed sources containing radioactive material shall not be opened or removed from their respective source holders.
16. The licensee shall not remove the source rod mechanism from their respective moisture/density gauge.
17. Radioactive material shall be used by, or under the direct supervision of, individuals designated by the RSO only after each worker has successfully completed a training course determined by the Agency as appropriate. The licensee shall maintain documentation verifying the successful completion of training for each worker.
18. The licensee shall conduct, at intervals not to exceed six months, a program of visual inspection and maintenance of all source holders. This inspection shall include, but not be limited to, proper labeling of the source holder, proper functioning of the "on-off" mechanism, if any, and integrity of the shielding and source mounting mechanism. If any inspection reveals that labeling is inadequate, the "on-off" mechanism is not functioning properly, source shielding is inadequate or the source mounting mechanism is inadequate, the licensee shall remove the device containing radioactive material from service until repairs have corrected the deficiency. A record of each inspection and the date performed shall be maintained for inspection by the Agency for three years.
19. The licensee shall conduct a physical inventory, at least every six months, to account for all sealed sources received and possessed under the license. The records of the inventories shall be maintained for inspection by the Agency for three years from the date of the inventory and shall include the radionuclide, number of curies, location of each source of radiation, the name of the individual making the inventory, and the date of the inventory.



Department of State Health Services

## RADIOACTIVE MATERIAL LICENSE

LICENSE NUMBER	AMENDMENT NUMBER
L06105	04

20. Maintenance of devices containing radioactive material, including those generally licensed, possessed and used by the licensee and repair and maintenance (e.g., replacement of labels, rust and corrosion prevention) of source holder mounting brackets shall be performed by or under the supervision of RSO.
21. Repair of shutter mechanisms or shielding of devices containing radioactive material, including those generally licensed, and the installation, replacement and disposal of sealed sources used in devices shall be performed only by the device manufacturer or other persons specifically authorized to perform such services by the Agency, the Commission, another Agreement State, or a Licensing State.
22. Except as specifically provided otherwise by this license, the license shall possess and use the radioactive material authorized by this license in accordance with statements, representations, and procedures contained in the following:


application dated July 28, 2007,  
letter dated March 26, 2008 and  
letter received April 18, 2008.

Title 25 TAC §289 shall prevail over statements contained in the above documents unless such statements are more restrictive than the regulations.

KMS:kms

FOR THE DEPARTMENT OF STATE HEALTH SERVICES

Date April 10, 2012

  
Ray Fleming, Program Coordinator  
Industrial Licensing Program

577726





DATE

06/22/2012

NAME AND ADDRESS OF APPLICANT AND/OR LICENSEE  Wind Consultants, LLC dba Renewable Consultants, LLC ATTN: Edward Brannan, Testing Manager 3011 South County Road 1260 Midland, TX 79706	LICENSE NUMBER  42-29434-01
	MAIL CONTROL NUMBER  577726
	LICENSING AND/OR TECHNICAL REVIEWER  cmurnahan <i>cm</i>

This is to acknowledge the receipt of your:

☒ LETTER and/or ☒ APPLICATION DATED: 06/15/2012

The initial processing, which included an administrative review, has been performed.

☒ AMENDMENT ☐ TERMINATION ☐ NEW LICENSE ☐ RENEWAL

- ☒ There were no administrative omissions identified during our initial review.
- ☐ This is to acknowledge receipt of your application for renewal of the material(s) license identified above. Your application is deemed timely filed, and accordingly, the license will not expire until final action has been taken by this office.
- ☐ Your application for a new NRC license did not include your taxpayer identification number. Please fill out NRC Form 531, located at the following link:

<http://www.nrc.gov/reading-rm/doc-collections/forms/nrc531.pdf>

Send the completed NRC Form 531, by facsimile, to the following number: (301) 415-5387

A copy of your action has been emailed to our License Fee and Accounts Receivable Branch, in our Headquarters office in Rockville, MD. You will be contacted separately if there is a fee issue involved.

Your application has been assigned the above listed **MAIL CONTROL NUMBER**. When calling to inquire about this action, please refer to this control number. Your application has been forwarded to a technical reviewer. Please note that the technical review, which is normally completed within 180 days for a renewal application (90 days for all other requests), may identify additional omissions or require additional information. If you have any questions concerning the processing of your application, our contact information is listed below:

Region IV  
U. S. Nuclear Regulatory Commission  
DNMS/NMSB - B  
1600 E. Lamar Boulevard  
Arlington, TX 76011-4511  
(817) 200-1103 or (817) 200-1140

BETWEEN:

Accounts Receivable/Payable  
and  
Regional Licensing Branches

[ FOR ARPB USE ]  
INFORMATION FROM LTS

Program Code: 03121  
Status Code: Pending Amendment  
Fee Category: 3P  
Exp. Date: 01/31/2022  
Fee Comments:  
Decom Fin Assur Reqd:

## License Fee Worksheet - License Fee Transmittal

### A. REGION

#### 1. APPLICATION ATTACHED

Applicant/Licensee: Wind Consultants, LLC dba Renewable Resource Consultants, LLC  
Received Date: 06/18/2012  
Docket Number: 3038499  
Mail Control Number: 577726  
License Number: 42-29434-01  
Action Type: Amendment

#### 2. FEE ATTACHED

Amount: \_\_\_\_\_

Check No.: \_\_\_\_\_

#### 3. COMMENTS

Signed: Colleen Murnahan

Date: 6-20-2012

### B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered / / )

1. Fee Category and Amount: \_\_\_\_\_

#### 2. Correct Fee Paid. Application may be processed for:

Amendment: \_\_\_\_\_

Renewal: \_\_\_\_\_

License: \_\_\_\_\_

#### 3. OTHER \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Renewable Resource Consultants  
2251 Double Creek Drive, Suite 602  
Round Rock, TX 78664

577726

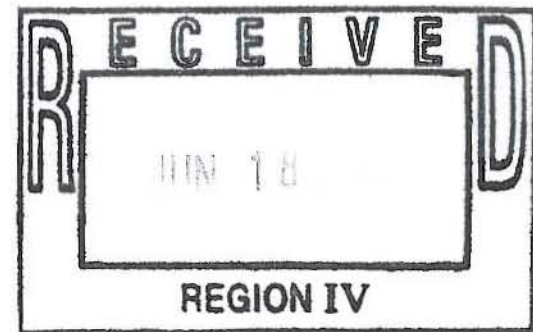
ATTN: Licensing Branch  
Division Nuclear Materials Safety  
1600 E. Lamar Blvd.  
Arlington, TX 76011

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