



## CONVERSATION RECORD

5/14/2015

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

Brent J. Bueche, P.E., Radiation Safety Officer and Engineer for Plats and Streets

DATE OF CONTACT

5/14/2015

TYPE OF CONVERSATION

☐

E-MAIL

☒

TELEPHONE

☐

INCOMING

☒

OUTGOING

E-MAIL ADDRESS

bbueche@kentcountyyroads.com

TELEPHONE NUMBER

(317) 547-5580

ORGANIZATION

Kent County Road Commission

DOCKET NUMBER(S)

030-33628

LICENSE NUMBER(S)

21-23325-02

CONTROL NUMBER(S)

585920

SUBJECT

Our review of your January 28, 2015 license renewal application and request for additional information on or before June 14, 2015. Direct any questions you have to me at (630) 829-9892 or sara.forster@nrc.gov.

## SUMMARY AND ACTION REQUIRED:

We have reviewed your license renewal application and find that we are unable to continue this action until we have received additional information noted below. Refer to NUREG 1556, Vol. 1, found at <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/v1/r1>, when providing additional detail regarding responses surrounding your Radiation Safety Program. You may provide your response on typed 8.5" x 11" sheets, or by completing the applicable portions of the Appendix B checklist. For your convenience, copies of the relevant pages from the checklist are attached. Include a signed and dated cover letter with your response.

Resubmit the application within 30 days of this record, referencing Control No. 585920, as listed at the top of this memo. Please FAX your response to my attention at (630) 515-1078. You may also scan your response and send to me via email, as a pdf file.

Additional Information requested:

1. The license currently authorizes possession limits (PLs) to accommodate 4 gauges. Please confirm that this PL is adequate.
2. Please note that the NRC does not normally list Assistant Radiation Safety Officers (ARSOs) on the license. In addition, any future Radiation Safety Officers (RSOs) must be listed on the license prior to being recognized as an RSO by the NRC. For the current RSO, please provide a current written memorandum of understanding/delegation of authority (MOU/DOA), signed by both Mr. Bueche and a senior management representative. The MOU/DOA document should include specific duties, as in the attached model MOU/DOA, taken from the draft NUREG 1556, Vol. 4, rev. 1, Appendix C (attached). In responding, you may use this model MOU/DOA, or create a custom document. For duties relevant to a portable gauge program, see NUREG 1556, Vol. 1, rev. 1, Appendix E, attached.

NAME OF PERSON DOCUMENTING CONVERSATION

Sara A. Forster, Materials Licensing Branch, Region III Office, 2443 Warrenville Road, Suite 210, Lisle, Illinois 60532

SIGNATURE

5/14/2015

CONVERSATION RECORD (continued)

3. The training program, as submitted, is unclear as to whether employee's will be required to complete a Troxler (or equivalent) course that includes a practical, or hands-on, component as described in the NUREG 1556, Vol. 1, rev. 1 guidance. Please confirm that the training will meet the criteria outlined in the guidance, as specified on the attached sheets.
4. The Radiation Safety Program, as submitted, appears to be a general overview, but does not clearly describe aspects of the program that should be described, pursuant to NUREG 1556, Vol. 1, rev. 1 guidance. Please resubmit program information for survey instruments, material receipt and accountability, occupational dosimetry, operating and emergency procedures, leak tests, and routine & non-routine maintenance, as described in suggested responses outlined on the attached guidance pages B-4 to B-5. For any alternative procedures, please explain and/or justify, as applicable.




# ITEMS 7 THROUGH 11: TRAINING AND EXPERIENCE, FACILITIES AND EQUIPMENT, RADIATION SAFETY PROGRAM, AND WASTE DISPOSAL

Item No. And Title	Suggested Response	Yes	Alternative Procedures Attached
<p>7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING AND EXPERIENCE - RADIATION SAFETY OFFICER</p> <p>→ Name: _____</p>	<p><del>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, Rev. 1, dated November 2001.</del></p> <p>Please provide a current, signed and dated MOU/DOA document for Brian J. Bueche, PE, including responsibilities designated to him and his acknowledgement of understanding and acceptance of those responsibilities.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS</p> <p>→</p>	<p>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.</p>	<input type="checkbox"/>	<input type="checkbox"/>
<p>9. FACILITIES AND EQUIPMENT</p>	<p><del>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."</del></p>	<p><del>Separate Item 9 Response</del></p> <p><del>Need Not Be Submitted With Application</del></p>	<p>Please confirm statement at left or otherwise confirm that training described in the January 28, 2015 application includes hands-on component meeting criteria in the guidance.</p>
<p><del>10. RADIATION SAFETY PROGRAM - AUDIT PROGRAM</del></p>	<p><del>The applicant is not required to, and should not, submit its audit program to NRC for review during the licensing phase.</del></p>	<del>Need Not Be Submitted With Application</del>	
<p><del>10. RADIATION SAFETY PROGRAM - TERMINATION OF ACTIVITIES</del></p>	<p><del>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.</del></p>	<del>Need Not Be Submitted With Application</del>	
<p>→ 10. RADIATION SAFETY PROGRAM - SURVEY INSTRUMENTS</p>	<p>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.</p>	<input type="checkbox"/>	<input type="checkbox"/>



Item No. And Title	Suggested Response	Yes	Alternative Procedures Attached
→ 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.	<input type="checkbox"/>	<input type="checkbox"/>
→ 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.	<input type="checkbox"/>	<input type="checkbox"/>
10. RADIATION SAFETY PROGRAM – PUBLIC DOSE	<del>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.</del>	<del>Need Not Be Submitted With Application</del>	
→ 10. RADIATION SAFETY PROGRAM – OPERATING AND EMERGENCY PROCEDURES	We will implement and maintain the operating and emergency procedures in Appendix H of NUREG-1556, Vol. 1, Rev. 1, dated November 2001, and provide copies of these procedures to all gauge users and at each job site.  OR  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.	<input type="checkbox"/>          <input type="checkbox"/>	<input type="checkbox"/>
→ 10. RADIATION SAFETY PROGRAM – LEAK TEST	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.	<input type="checkbox"/>	<input type="checkbox"/>  The information in Appendix J supporting a request to perform leak testing and sample analysis is attached.



Item No. And Title	Suggested Response	Yes	Alternative Procedures Attached
 <b>10. RADIATION SAFETY PROGRAM – MAINTENANCE</b>	<i>Routine Cleaning and Lubrication</i> We will implement and maintain procedures for routine maintenance of our gauges according to each manufacturer's recommendations and instructions.	<input type="checkbox"/>	<input type="checkbox"/>
	<i>Non-Routine Maintenance</i> 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.  If the non-routine maintenance is performed, a procedure is needed. An explanation as to the need also is needed.	<input type="checkbox"/>	The information listed in Appendix G supporting a request to perform non-routine maintenance in-house is attached.
<b>10. <del>RADIATION SAFETY PROGRAM – TRANSPORTATION</del></b>	<del>The applicant is not required to submit its response to transportation during the licensing process. However, this issue will be reviewed during inspection.</del>		<b><u>Need Not Be Submitted With Application</u></b>
<b>11. <del>WASTE MANAGEMENT – GAUGE DISPOSAL AND TRANSFER</del></b>	<del>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.</del>		<b><u>Need Not Be Submitted With Application</u></b>



The RSO's duties and responsibilities are illustrated in Figure 8.1 and typically include ensuring the following:

- Licensed activities that the RSO considers unsafe are stopped;
- Possession, use, storage, and maintenance of sources and gauges are consistent with the limitations in the license, the Sealed Source and Device Registration sheet(s), and the manufacturer's recommendations and instructions;
- Individuals who use gauges are properly trained;
- When necessary, personnel monitoring devices are used and exchanged at the proper intervals; records of the results of such monitoring are maintained;
- Gauges are properly secured;
- Proper authorities are notified in case of accident, damage to gauges, fire, or theft;
- Unusual occurrences involving the gauge (e.g., accident, damage) are investigated, cause(s) and appropriate corrective action are identified, and corrective action is taken;
- Audits are performed at least annually and documented, and corrective actions are taken;
- Licensed material is transported in accordance with all applicable DOT requirements;
- Licensed material is disposed of properly;
- Appropriate records are maintained;
- An up-to-date license is maintained and amendment and renewal requests are submitted in a timely manner;
- Up-to-date operating and emergency procedures are developed, maintained, distributed, and implemented;
- Non-routine operations are performed by the manufacturer, distributor, or person specifically authorized by NRC or an Agreement State;
- Documentation is maintained to demonstrate, by measurement or calculation, that the TEDE to the individual member of the public likely to receive the highest dose from the licensed operation does not exceed the annual limit in 10 CFR 20.1301;
- When the licensee identifies violations of regulations or license conditions or program weaknesses, corrective actions are developed, implemented, and documented;
- Posting of documents required by 10 CFR 19.11 (Parts 19 and 20, license documents, operating procedures, NRC Form 3, "Notice to Employees"), and 10 CFR 21.6 (Part 21, Section 206 of Energy Reorganization Act of 1974, procedures adopted pursuant to Part 21) or posting a notice indicating where these documents can be examined.

Please provide a signed copy of a model MOU/DOA document. You may use the sample, below, taken from the draft NUREG 1556, Vol. 4, rev. 1, volume (available at the NRC website), or create

**Model Delegation of Authority to RSO** a custom document specific to your organization.

Memo To: Radiation Safety Officer  
From: Chief Executive Officer  
Subject: Delegation of Authority

You, \_\_\_\_\_, have been appointed radiation safety officer and are responsible for ensuring the safe use of radiation. You are responsible for managing the Radiation Protection Program, identifying radiation protection problems, initiating, recommending, or providing corrective actions, verifying implementation of corrective actions, stopping unsafe activities, and ensuring compliance with regulations. You are hereby delegated the authority necessary to meet those responsibilities, including prohibiting the use of byproduct material by employees who do not meet the necessary requirements and shutting down operations, when justified, to maintain radiation safety. You are required to notify management if staff does not cooperate and does not address radiation safety issues. In addition, you are free to raise issues with the U.S. Nuclear Regulatory Commission at any time. It is estimated that you will spend \_\_\_\_\_ hours per week conducting radiation protection activities.

\_\_\_\_\_  
Signature of Management Representative

\_\_\_\_\_  
Date

I accept the above responsibilities,

\_\_\_\_\_  
Signature of Radiation Safety Officer

\_\_\_\_\_  
Date

**cc: Affected department heads**



**Forster, Sara**

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**From:** Forster, Sara  
**Sent:** Thursday, May 14, 2015 12:44 PM  
**To:** 'bbueche@kentcountyyroads.net'  
**Subject:** Additional Information Request for Kent County Road Commission, NRC Lic. 21-23325-02  
**Attachments:** 03121.585920.21-23325-02 telecon signed.pdf

Dear Mr. Bueche,

See the attached file for additional information needed to complete the review of the renewal application for NRC Lic. No. 21-23325-02. Note that the attached conversation record requests additional information by June 14, 2015. Additional guidance may be found in NUREG 1556, Vol. 1, Revision 1, "Program Program-Specific Guidance About Fixed Gauge Licenses," which may be found at:

<http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/v1/r1/>.

Submission of your response as a pdf file attached to an email or via facsimile will allow for the quickest processing. Do not hesitate to call me with any questions you may have, or if you will need additional time to complete your response.

Sincerely,

**Sara A. Forster, Health Physicist Licensing Reviewer**  
U.S. Nuclear Regulatory Commission - Region III  
Division of Nuclear Materials Safety  
2443 Warrenville Rd. - Ste. 210  
Lisle, IL 60532-4352  
[sara.forster@nrc.gov](mailto:sara.forster@nrc.gov)  
Direct: (630) 829-9892

