

CATERPILLAR

Caterpillar Inc.

Peoria Proving Ground
P.O. Box 1895
Peoria, Illinois 61656-1895

185

November 2, 1992

Glenda C. Jackson
Materials License Fee Section
License Fee and Debt Collection Branch
Division of Accounting and Finance
Office of the Controller
U. S. Nuclear Regulatory Commission
Washington, D.C. 20535

On 30 October 92 we received a "Demand for Payment" from a collection agency for \$2,653.76 plus continually accruing interest for overdue payment of a Licensing Fee for five instruments that use radiation to measure soil moisture and density. Attachment A is a copy of the "Demand for Payment".

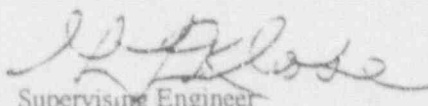
Attachments B, C, D, and E are copies of the "Radioactive Material License" issued by the State of Illinois Department of Nuclear Safety for these instruments. Note that it is dated May 2, 1991 and expires June 30, 1995.

Our understanding was, and is, that State licensing only now is required for these devices. If this is incorrect; if both State and Federal licensing is required, please notify me promptly - without going through a collection agency - and we will pay the full amount immediately.

We have not responded to your Invoices AM07121-91 dated 08/09/91; 09/10/91; and 10/08/91 because each stated that nonpayment of your annual fee may result in the revocation of your license. That is exactly what we were trying to do - drop our Federal License because we thought the Illinois license was sufficient.

Your October 18, 1991 letter to Gary Kramer refers to an included 42 page document of the CFR (V56/N132/31472 through 31513) as indicating that a positive notification of not renewing a license is required. My reasonably thorough reading (one time only) of this document has not detected where this is stated. If State licensing is sufficient and we have erred by not notifying you that we did not want to renew the unnecessary Federal License, please consider our full payment of your direct billing such notification

Very truly yours,


Supervising Engineer
Vehicle Development
Peoria Proving Ground

G. L. Klose
Telephone (309) 698-5936
pas

Copy to:

Kurt Gelbach, AB7310, Legal Dept.

9302110457 930125
PDR ADOCK 07100349
C PDR

DEMAND FOR PAYMENT

BY PAYCO - GENERAL AMERICAN CREDITS, INC.

A COLLECTION AGENCY

000000-04223215

P.O. BOX 7169

DUBLIN

OH 43017

OCTOBER 26, 1992

402

ADDRESS CORRECTION REQUESTED

YOUR CREDITOR NUCLEAR REGULATORY COMMISSION		ACCOUNT NUMBER BPA 007 AM07121-91 0349	
AMOUNT	1,800.00	OTHER	853.76 TOTAL DUE 2,653.76
CATERPILLAR TRACTOR INC PO BOX 1895 PEORIA IL 61656-1895		MAIL YOUR PAYMENT TO PAYCO-GENERAL AMERICAN CREDITS P.O. BOX 7169 DUBLIN OH 43017	

(614) 766-0803

THIS IS A DEMAND FOR

FULL PAYMENT OF YOUR DEBT

YOUR SERIOUSLY PAST DUE ACCOUNT HAS BEEN GIVEN TO US FOR IMMEDIATE ATTENTION. YOU HAVE HAD AMPLE TIME TO PAY YOUR DEBT. YOU HAVE NOT. IF THERE IS A VALID REASON, AS EXPLAINED ON THE REVERSE SIDE OF THIS LETTER, WE SUGGEST YOU CONTACT US.

IF NOT -- PAY US.

PRINCIPAL DUE	\$ 1,800.00
INTEREST AND PENALTIES DUE	303.04
COLLECTION FEE DUE	400.72
ADMINISTRATIVE FEE DUE	150.00
TOTAL DUE	\$ 2,653.76

MAKE YOUR CHECK OR MONEY ORDER PAYABLE TO
NUCLEAR REGULATORY COMMISSION, NOT TO PAYCO.
PLEASE DO NOT SEND CASH THROUGH THE MAIL.

THE BALANCE REFLECTED ON THIS STATEMENT MAY NOT REFLECT THE EXACT AMOUNT OF INTEREST WHICH IS ACCRUING DAILY. PLEASE CONTACT OUR OFFICE TO FIND OUT YOUR EXACT PAYOUT BALANCE.

STATE OF ILLINOIS
DEPARTMENT OF NUCLEAR SAFETY**B****RADIOACTIVE MATERIAL LICENSE**DIVISION OF RADIOACTIVE MATERIALS
1035 OUTER PARK DRIVE
SPRINGFIELD, ILLINOIS 62704

Pursuant to the Illinois Radiation Protection Act and the rules and regulations in 32 Illinois Administrative Code promulgated thereunder, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, own, possess and transfer radioactive material(s) listed herein; and to use such radioactive material(s) for the purpose(s) and at the place(s) designated below. This license is subject to all applicable rules, regulations and orders of the Illinois Department of Nuclear Safety now or hereafter in effect and to any conditions specified in the license.

LICENSEE Caterpillar, Inc. Peoria Proving Ground P.O. Box 1895 Peoria, Illinois 61656-1895 Attention: Mr. Gary L. Kramer Radiation Safety Officer	LICENSE NUMBER IL-01602-01	EXPIRATION DATE 12-31-1990
	AMENDMENT NUMBER <input checked="" type="checkbox"/> INITIAL LICENSE	REFERENCE NUMBER 9102609
<input type="checkbox"/> INITIAL LICENSE <input type="checkbox"/> AMENDMENT <input type="checkbox"/> THROUGH AMENDMENT <input type="checkbox"/> CONSTITUTE A COMPLETE LICENSE. <input type="checkbox"/> PREVIOUS AMENDMENTS ARE VOID.		

In accordance with application dated ~~January 1, 1990~~ license Number IL-01602-01 is issued as follows:

ITEM	RADIOISOTOPE	CHEMICAL and/or PHYSICAL FORM	MAXIMUM ACTIVITY* PER SOURCE	MAXIMUM POSSESSION LIMIT
A.	Cs-137	Sealed Source - Campbell Pacific Nuclear Model CPN-131	10 mCi	Any
B.	Am-241 (AmBe)	Sealed Source - Campbell Pacific Nuclear Model CPN-131	50 mCi	Any
C.	Ra-226 (RaBe)	Sealed Source - Amersham Model RAN.W25	5 mCi	Any
D.	Am-241 (AmBe)	Sealed Source - Campbell Pacific Nuclear Model CPN-131	50 mCi	Any
E.	Cs-137	Sealed Source - E. I. Dupont De Nemours & Co., Inc. (NEN) Model 560A	11 mCi	Any
F.	Am-241 (AmBe)	Sealed Source - E. I. Dupont De Nemours & Co., Inc.	60 mCi	Any

AUTHORIZED USE:

- A. and B. For use in Campbell Pacific Nuclear Model B(R) gauges for measuring the moisture/density of various materials.
- C. For use in Seaman Nuclear Model C-200 gauges for measuring the moisture/density of various materials.

* μ Ci-microcurie; mCi-millicurie; Ci-Curie; MBq-Megabecquerel; GBq-Gigabecquerel; TBq-Terabecquerel; g-gram; μ g-microgram; kg-kilogram

BY: <i>Joseph G. Kluger</i> Joseph G. Kluger, Head of Licensing Section IL 473-0058	DATE May 2, 1991	PAGE 1	PAGES 4
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STATE OF ILLINOIS
DEPARTMENT OF NUCLEAR SAFETY
RADIOACTIVE MATERIAL LICENSE

LICENSEE Caterpillar, Inc.	LICENSE NUMBER IL-01602-01	AMENDMENT NUMBER <input checked="" type="checkbox"/> INITIAL LICENSE	EXPIRATION DATE June 30, 1995
ITEM	RADIONUCLIDE	CHEMICAL and/or PHYSICAL FORM	MAXIMUM ACTIVITY* PER SOURCE
			MAXIMUM POSSESSION LIMIT

- D. For use in Campbell Pacific Nuclear Model 500 Series gauges for measuring the moisture/density of various materials.
- E. and F. For use in Soiltest, Inc. Model NIC-5DT gauges for measuring the moisture/density of various materials.

CONDITIONS

1. Radioactive material shall be used at the licensee's facilities located at the Peoria Proving Ground, Spring Creek Road, Peoria, Illinois and at temporary jobsites of the licensee in the State of Illinois in accordance with statements, representations and procedures listed in License Condition 14.
2. Radioactive material shall be used only at temporary jobsites of the licensee in the State of Illinois.
3. Radioactive material shall be used by, or under the supervision and in the physical presence of, Gary L. Kramer or individuals who have been trained in accordance with application dated July 11, 1990 and letters dated November 20, 1990 and February 4, 1991. The licensee shall maintain training records of all designated users.
4. The Radiation Safety Officer for the activities authorized by this license is Gary L. Kramer.
5. The licensee shall comply with the provisions of the regulations contained in 32 Ill. Adm. Code.
6. The licensee shall maintain records showing the receipt, transfer, use, storage and disposal of all sources of radiation in accordance with 32 Ill. Adm. Code 310.40.
7. A. (1) Each sealed source shall be tested for leakage and/or contamination at intervals not to exceed six months. In the absence of a certificate from a transferor indicating that a test has been made within six months prior to transfer, the sealed source shall not be put into use until tested.
 (2) Notwithstanding the periodic leak test required by this condition, any licensed sealed source is exempt from such leak tests when the source contains 100 microcuries or less of beta and/or gamma emitting material or ten microcuries or less of alpha emitting material.
- B. The periodic leak test required by this condition does not apply to sealed sources that have been removed from use and are in protective and secure storage. The sources excepted from this test shall be tested for leakage prior to use or transfer to another person, unless they have been leak tested within six months prior to the date of use or transfer.

* μ Ci-microcurie; mCi-millicurie; Ci-Curie; MBq-Megabecquerel; GBq-Gigabecquerel; TBq-Terabecquerel; g-gram; μ g-microgram; kg-kilogram

PAGE 1 SIGNED BY:

Joseph G. Klinger, Head of Licensing Section

DATE

May 2, 1991

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STATE OF ILLINOIS
DEPARTMENT OF NUCLEAR SAFETY
RADIOACTIVE MATERIAL LICENSE

LICENSEE Caterpillar, Inc.		LICENSE NUMBER IL-01602-01	AMENDMENT NUMBER <input checked="" type="checkbox"/> INITIAL LICENSE	EXPIRATION DATE June 30, 1995
ITEM	RADIONUCLIDE	CHEMICAL and/or PHYSICAL FORM	MAXIMUM ACTIVITY* PER SOURCE	MAXIMUM POSSESSION LIMIT

(Condition 7. continued)

- C. Leak tests shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample, or in the case of radium sources, either the presence of 0.005 microcurie of external radon-daughter contamination or the escape of radon at the rate of 0.001 microcurie per 24 hours. The test samples shall be taken from the sealed source or from the surfaces of the device in which the sealed source is permanently or semipermanently mounted or stored upon which one might expect contamination to accumulate. Records of leak test results shall be kept in units of microcuries and maintained for inspection by the Department. Records of leak test results shall be maintained for Department inspection for a period of five years from the date of analysis of the test sample.
- D. If the test reveals the presence of 0.005 microcurie or more of removable contamination, or in the case of radium sources, either the presence of 0.005 microcurie of external radon-daughter contamination or the escape of radon at the rate of 0.001 microcurie or greater per 24 hours, the licensee shall immediately withdraw the sealed source from use and shall cause it to be decontaminated and repaired, or to be disposed of in accordance with the 32 Ill. Adm. Code. A report shall be filed within five days of the test with the Department, describing the source and equipment involved, the test results and the corrective action taken.
- E. The licensee is authorized to collect leak test samples for analysis by persons specifically authorized by the Department, an Agreement State, a Licensing State, or the U.S. Nuclear Regulatory Commission to perform such services.
8. A. The source holder shall be locked in the "off" or closed position when the device is not in use.
- B. Sealed sources shall not be opened or removed from their source holders by the licensee.
9. When performing tests at temporary job sites, the authorized user shall not leave the device 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.
10. At any time the licensee is engaged in making measurements by authority of this license at a temporary job site, he shall have a current copy of each of the following documents available at the job site for inspection by the Department:
- A. Manufacturer's instruction manual with appropriate emergency procedures; and
- B. A copy of the results of the latest test for leakage and/or contamination performed on the sealed source.

* μ Ci-microcurie; mCi-millicurie; Ci-Curie; MBq-Megabecquerel; GBq-Gigabecquerel; TBq-Terabecquerel; g-gram; μ g-microgram; kg-kilogram

PAGE 1 SIGNED BY:

DATE

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OF

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Joseph G. Klinger, Head of Licensing Section

May 2, 1991

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IL 473-0059

STATE OF ILLINOIS
DEPARTMENT OF NUCLEAR SAFETY
RADIOACTIVE MATERIAL LICENSE



LICENSEE Caterpillar, Inc.		LICENSE NUMBER IL-01602-01	AMENDMENT NUMBER <input checked="" type="checkbox"/> INITIAL LICENSE	EXPIRATION DATE June 30, 1995
ITEM	RADIONUCLIDE	CHEMICAL and/or PHYSICAL FORM	MAXIMUM ACTIVITY* PER SOURCE	MAXIMUM POSSESSION LIMIT

11. The licensee shall conduct a physical inventory at intervals not to exceed six months to account for all radioactive material sources received and possessed under the license and shall maintain a record of such inventories. The inventory records shall include the radionuclide, activity, manufacturer, model number, serial number, activity assay date, the location of the sealed source, date of the inventory and the identity of the individual(s) performing the inventory. Records of inventories shall be maintained for five years from the date of each inventory.
12. The transport of radioactive material or delivery of radioactive material to a carrier for transport shall be in accordance with the provisions of 32 Ill. Adm. Code 341.
13. The licensee shall not transfer possession and/or control of materials or products containing radioactive material except:
 - A. By transfer as waste to an authorized recipient.
 - B. By transfer to a specifically licensed recipient, or
 - C. As provided otherwise by specific conditions of this license.
14. Except as specifically provided otherwise by the license, the licensee shall possess and use radioactive material described in all schedules of this license in accordance with statements, representations and procedures contained in, or enclosed with, the documents listed below. The regulations contained in 32 Ill. Adm. Code shall govern unless the statements, representations and procedures in the licensee's application and correspondence are more restrictive than the regulations.
 - A. Application dated July 11, 1990.
 - B. Letters dated November 20, 1990 and February 4, 1991.
 - C. Letter, with attachment, dated April 4, 1991.
15. The licensee is exempt from the provisions of 32 Ill. Adm. Code 330.250(c) for a period of one year from the date of issuance of this license document.

JGK:CGV:sld

* μ Ci-microcurie; mCi-millicurie; Ci-Curie; MBq-Megabecquerel; GBq-Gigabecquerel; TBq-Terabecquerel; g-gram; μ g-microgram; kg-kilogram

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