

## MATERIALS LICENSE

Amendment No. 05

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 36, 39, 40, and 70, 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 byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

|  |  |  |  |
|--|--|--|--|
| Licensee   |  | In accordance with letter dated<br>July 22, 1996                                     |  |
| 1. Wilcox Associates, Inc.   |  | 3. License Number 21-23314-01 is amended in<br>its entirety as follows:              |  |
| 2. 7711 South U.S. 131<br>Cadillac, MI 49601   |  | 4. Expiration Date June 30, 2005   |  |
|  |  | 5. Docket or<br>Reference No. 030-209C1  |  |
| 6. Byproduct, Source, and/or<br>Special Nuclear Material   | 7. Chemical and/or Physical<br>Form                | 8. Maximum Amount that Licensee<br>May Possess at Any One Time<br>Under This License |  |
| A. Cesium-137  | A. Sealed source<br>(Troxler Dwg.<br>No. A-102112) | A. 15 sources not<br>to exceed 10<br>millicuries each                                |  |
| B. Americium-241   | B. Sealed source<br>(Troxler Dwg.<br>No. A-102451) | B. 15 sources not<br>to exceed 50<br>millicuries each                                |  |
| 9. Authorized Use:   |  |  |  |
| A. and B. To be used in Troxler Model 3400 Series moisture/density gauges for the<br>measurement of moisture and density in construction material. |  |  |  |

CONDITIONS

10. Licensed material may be stored at the licensee's facilities located at 7711 South U.S. 131, Cadillac, Michigan; 8180 Broadmoor Avenue, Caledonia, Michigan; and 712 Brooke Street, Alpena, Michigan, 37500 Enterprise Court, Farmington Hills, MI, and 444 W. Baldwin, Alpena, MI and may be used 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.
11. A. The Radiation Safety Officer for this license is Richard D. Wilcox.
- B. The Assistant Radiation Safety Officers for this license are Robert Lindbeck, Cadillac office; Michael O'Sullivan, Caledonia office; Jeff Aller, Alpena office, and Michael Connors, Farmington Hills office.

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MATERIALS LICENSE  
SUPPLEMENTARY SHEET

License Number

21-23314-01

Docket or Reference Number

030-20901

Amendment No. 05

12. Licensed material shall only be used by, or under the supervision and in the physical presence of, Richard D. Wilcox or individuals who have successfully completed the manufacturer's training program for gauge users, have been instructed in the licensee's routine and emergency operating procedures and who have been designated by the Radiation Safety Officer.
13. A. Sealed sources and detector cells shall be tested for leakage and/or contamination at intervals not to exceed 6 months or at such other intervals as specified by the certificate of registration referred to in 10 CFR 32.210.
- B. Notwithstanding Paragraph A of this Condition, sealed sources designed to emit alpha particles shall be tested for leakage and/or contamination at intervals not to exceed 3 months.
- C. In the absence of a certificate from a transferor indicating that a leak test has been made within 6 months prior to the transfer, a sealed source or detector cell received from another person shall not be put into use until tested.
- D. Sealed sources need not be leak tested if:
- (i) they contain only hydrogen-3; or
  - (ii) they contain only a radioactive gas; or
  - (iii) the half-life of the isotope is 30 days or less; or
  - (iv) they contain not more than 100 microcuries of beta and/or gamma emitting material or not more than 10 microcuries of alpha emitting material; or
  - (v) they are not designed to emit alpha particles, are in storage, and are not being used. However, when they are removed from storage for use or transferred to another person, and have not been tested within the required leak test interval, they shall be tested before use or transfer. No sealed source or detector cell shall be stored for a period of more than 10 years without being tested for leakage and/or contamination.
- E. The leak test shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. If the test reveals the presence of 0.005 microcurie or more of removable contamination, a report shall be filed with the U.S. Nuclear Regulatory Commission in accordance with 10 CFR 30.50(b)(2), and the source shall be removed immediately from service and decontaminated, repaired, or disposed of in accordance with Commission regulations. The report shall be filed within 5 days of the date the leak test result is known with the U.S. Nuclear Regulatory Commission, Region III, ATTN: Chief, Nuclear Materials Safety Branch, 801 Warrenville Road, Lisle, Illinois 60532-4351. The report shall specify the source involved, the test results, and corrective action taken.

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- F. The licensee is authorized to collect leak test samples for analysis by Troxler Electronic Laboratories, Inc. Alternatively, tests for leakage and/or contamination may be performed by persons specifically licensed by the Commission or an Agreement State to perform such services.
14. Sealed sources or detector cells containing licensed material shall not be opened or sources removed from source holders by the licensee.
15. When performing tests at temporary job sites, the authorized user shall not leave the moisture/density gauge 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.
16. The licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license.
17. The licensee is authorized to transport licensed material only in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
18. Each portable nuclear gauge shall have a lock or outer locked container designed to prevent unauthorized or accidental removal of the sealed source from its shielded position. The gauge or its container must be locked when in transport, storage, or when not under the direct surveillance of an authorized user.
19. Any cleaning, maintenance, or repair of the gauge(s) that requires removal of the source rod shall be performed only by the manufacturer or by other persons specifically licensed by the Commission or an Agreement State to perform such services.
20. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. The U.S. Nuclear Regulatory Commission's regulations shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the regulations.
- A. Application dated March 4, 1994 (with attachments); and
- B. Letters dated January 20, 1994, March 4, 1994, May 18, 1995 (with attachments), and July 22, 1996.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date September 23, 1996

By

Edlyn R. Matson  
Nuclear Materials Licensing Branch, Region III

COPY

BETWEEN:

LICENSE FEE MANAGEMENT BRANCH, ARM  
AND  
REGIONAL LICENSING SECTIONS

(FOR LFMS USE)  
INFORMATION FROM LTS

PROGRAM CODE: 03121  
STATUS CODE: 0  
FEE CATEGORY: 3P  
EXP. DATE: 20050630  
FEE COMMENTS:  
DECOM FIN ASSUR-REDDT-N

R9

LICENSE FEE TRANSMITTAL

A. REGION

1. APPLICATION ATTACHED

APPLICANT/LICENSEE: WILCOX ASSOCIATES, INC.  
RECEIVED DATE: 960729  
DOCKET NO.: 3020901  
CONTROL NO.: 301664  
LICENSE NO.: 21-23314-01  
ACTION TYPE: AMENDMENT

2. FEE ATTACHED

AMOUNT: 300.00  
CHECK NO.: 41867

3. COMMENTS

SIGNED  
DATE

B. LICENSE FEE MANAGEMENT BRANCH (CHECK WHEN MILESTONE 03 IS ENTERED ☒)

1. FEE CATEGORY AND AMOUNT:

3P

\$300

2. CORRECT FEE PAID. APPLICATION MAY BE PROCESSED FOR:

AMENDMENT ☒  
RENEWAL  
LICENSE

3. OTHER

SIGNED  
DATE

AC 8/2/96

|                  |          |
|------------------|----------|
| Log              | Aug 2 70 |
| Remitter         |          |
| Check No.        | 41867    |
| Amount           | \$300    |
| Fee Category     | 3P       |
| Type of Fee      | AMD      |
| Date Check Rec'd | 8/2/96   |
| Date Completed   | 8/2/96   |
| By:              | AC       |

Refer to Control No. 301665

AUG 07 1996

1995 AUG - 2 PM 11:25



July 22, 1996

U.S. Nuclear Regulatory Commission, Region III  
Materials Licensing Section  
801 Warrenville Road  
Lisle, IL 60532-4351

Re: Discontinuation of License No. 21-26329-01

Attn: Mr. John R. Madera

Dear Mr. Madera:

This letter is to inform you of our wish to discontinue our license(#21-26329-01) ~~and~~ is currently up for renewal. As of July 1, 1996, our company has merged with Wilcox Associates, Inc (WAI) and will be moving their Alpena office facility into our existing facility effective August 1, 1996. WAI currently is licensed with the N.R.C. and have license capacity to acquire our 1 nuclear gauge (Troxler 3400 series, Serial #20067). I have attached the last Leak Test Analysis performed on the referenced gauge in May, 1996. We would like to transfer usage of that gauge to WAI and discontinue our license. WAI's license number is #21-23314-01, and is held at Wilcox Associates, Inc., 7711 South US-131, Cadillac, MI 49601. Richard D. Wilcox serves as Radiation Safety Officer for all offices.

Thank you for your cooperation in this matter. If you have any questions, please contact myself personally.

Sincerely,

By Thomas R. Hendricks  
Thomas R. Hendricks, P.E.

xc: Wilcox Associates, Inc.

TRH/clb

**RECEIVED**

**JUL 29 1996**

**REGION III**

301664 PM 7/26/96

JUL 29 1996





3008 Cornwallis Rd. P.O. Box 12057 Research Triangle Park,  
North Carolina 27709, U.S.A.

Device - Model # 3440, Serial # 20067  
Source(s) - Serial # 75-1318, Serial # 47-15551  
Date of Test: 14 MAY 96

Please print legibly and firmly. This is your return address label.

- THOMAS R. HENDRICKS, P.E.
- 444 N. BALDWIN ST
- ALPENA, MI 49707

Your Name: Shannon L Smolinski  
Telephone: (517) 356-6375

ORIGINAL COPY

#### LEAK TEST ANALYSIS

This certifies that the sample accompanying this form has been analyzed using an approved monitoring method that measures both beta/gamma & alpha contamination; and, that the results of this analysis shows the removable activity to be less than 0.005 microcuries.

M. Williams  
5-21-96

# Wilcox Associates



Engineering  
Surveying and  
Environmental  
Sciences

7711 South US-131 . P.O. Box 580 . Cadillac, Michigan 49601  
616 775-7755 . . . . . Fax # 616 775-3135

July 22, 1996

U.S. Nuclear Regulatory Commission, Region III  
Materials Licensing Section  
801 Warrenville Road  
Lisle, IL 60532-4351

Re: Amendment of License No. 21-23314-01

Attn: Ms. Colleen C. Casey

Dear Ms. Casey:

Wilcox Associates, Inc. would like to request an amendment to the above referenced materials license. The revisions are as follows:

**Condition 10:** The satellite office listed as 5747 28th Street, SE, Grand Rapids, Michigan should be removed and replaced with - 8180 Broadmoor Ave., Caledonia, MI 49546. We would also like to add a satellite location in our new Farmington Hills office - 37500 Enterprise Court, Farmington Hills, MI 48331. The Alpena satellite office will be moving effective August 1, 1996 due to a company merger with Thomas R. Hendricks, P.E. We would like to notify you now of that new location - 444 W. Baldwin, Alpena, MI 49707. This office will be operating under the name of Wilcox/Hendricks. The current owner, Thomas R. Hendricks, P.E. has a N.R.C. licence (#21-26329-01) and 1 nuclear gauge (Troxler 3400 series, serial #20067) that we would like to incorporate into our licence. His license is currently up for renewal and will not need to be renewed.

All of the satellite offices are located in an office complex, with the actual storage located in:

Caledonia: Aggregate Storage portion of the Office Facility (see enclosed map)

Alpena: Utility Room portion of the Office Facility (see enclosed map).

Farmington Hills: Laboratory Storage portion of the Office Facility (see enclosed map)

In all of our satellite offices, the licensed material is stored in dedicated, locked gauge storage cabinets, marked with appropriate NRC posters. The actual gauge is locked in the safe, shielded position within the transport case. Keys will be held by the Radiation Safety Officer or his assigned assistant.

RECEIVED  
JUL 29 1996  
REGION III

**Wilcox** Associates

All gauges will be stored in the main Cadillac office facility during the off-season.

**Condition 11B:** Please add Michael Conners as the Assistant Radiation Safety Officer in our Farmington Hills office.

I hope this information is satisfactory. If you need any additional information, please contact myself personally.

Sincerely,

WILCOX ASSOCIATES, INC.

By 

Richard D. Wilcox, P.E., P.S.

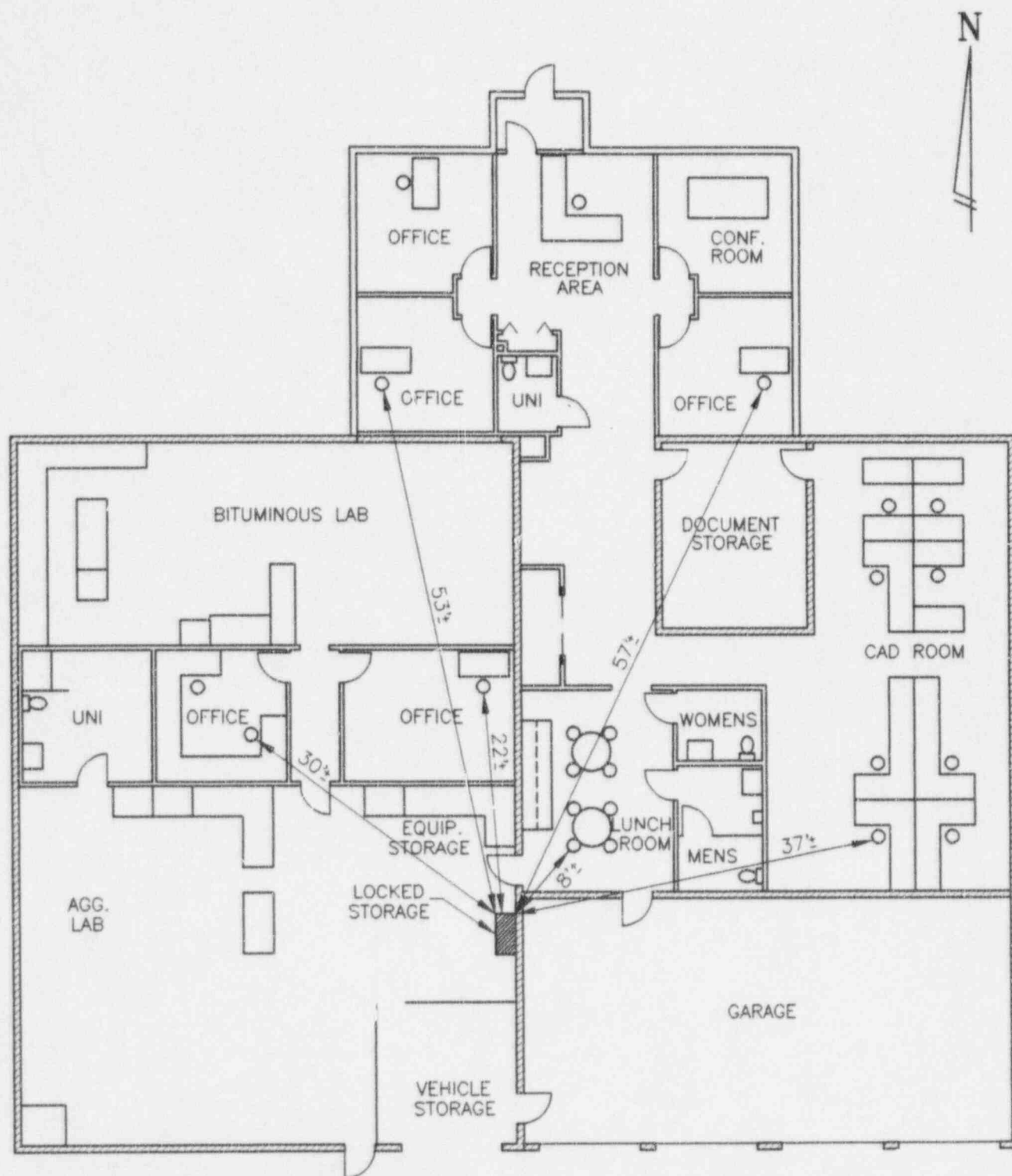
President

Radiation Safety Officer

RDW/clb  
enclosures



RADIATION SAFETY PROGRAM  
WILCOX ASSOCIATES, INC.  
License No. 21-23314-01

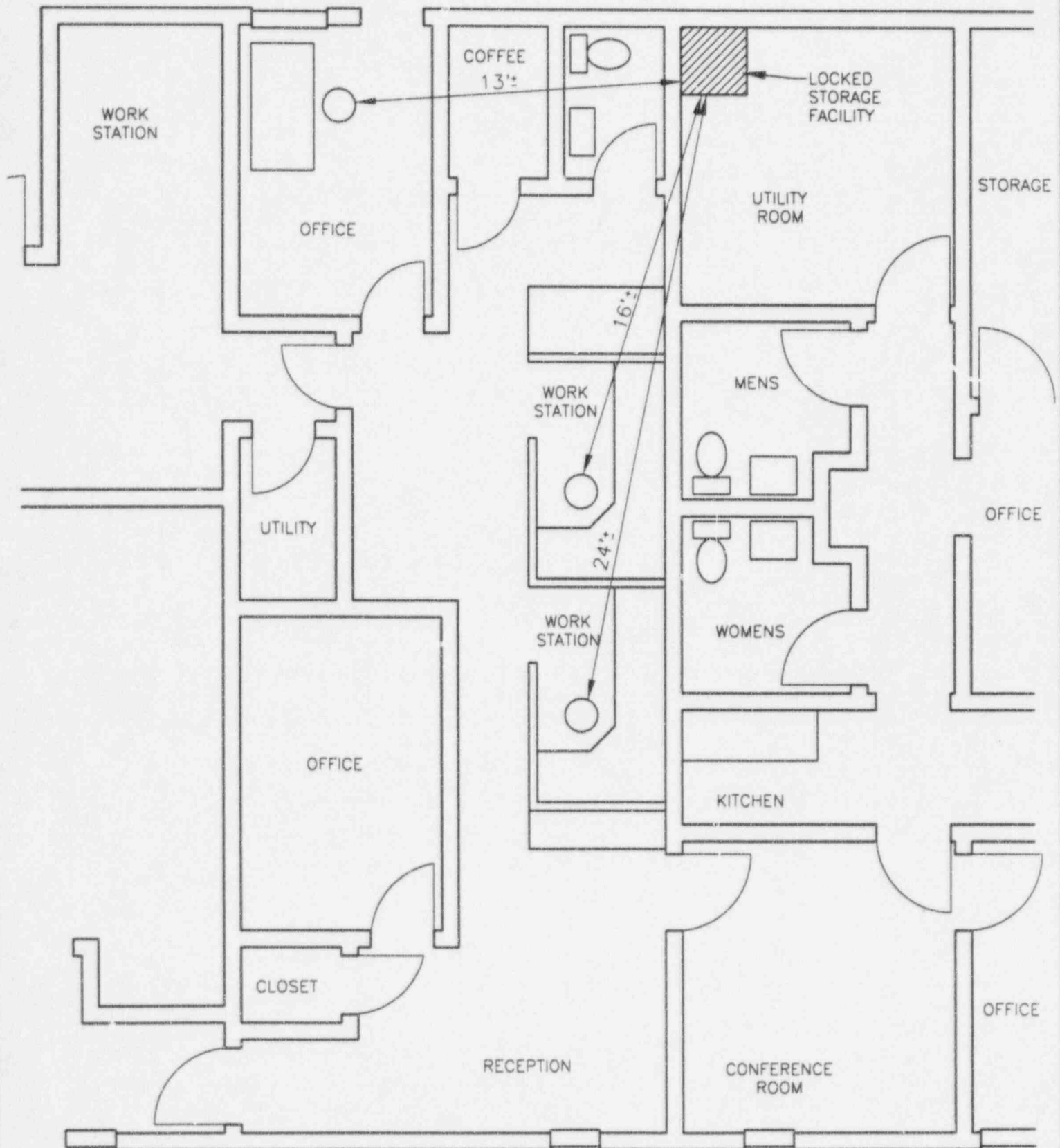


### CALEDONIA SATELLITE OFFICE

FIGURE 1 - TROXLER GAUGE WINTER STORAGE - CALEDONIA, MICHIGAN OFFICE

**RADIATION SAFETY PROGRAM**

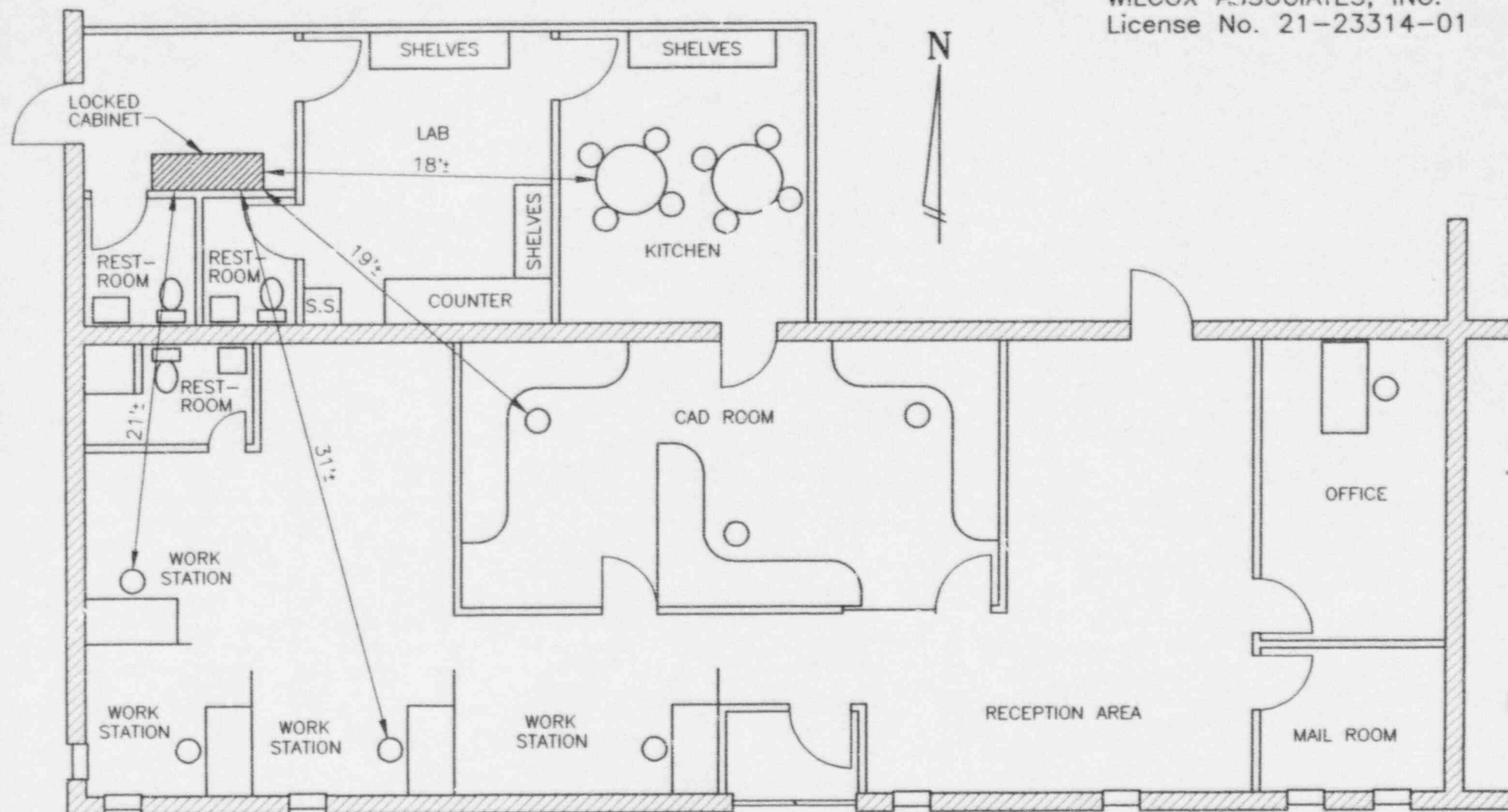
WILCOX ASSOCIATES, INC. License No. 21-23314-01



**ALPENA SATELLITE OFFICE**

FIGURE 1 - TROXLER GAUGE WINTER STORAGE -  
ALPENA, MICHIGAN OFFICE

RADIATION SAFETY PROGRAM  
WILCOX ASSOCIATES, INC.  
License No. 21-23314-01



FARMINGTON HILLS SATELLITE OFFICE

FIGURE 1 - TROXLER GAUGE WINTER STORAGE - FARMINGTON HILLS, MICHIGAN OFFICE

SEP 23 1996

Richard D. Wilcox, P.E., P.S.  
President  
Wilcox Associates, Inc.  
7711 South U.S. 131  
Cadillac, MI 49601

Dear Mr. Wilcox:

Enclosed is Amendment No. 05 to your NRC Material License No. 21-23314-01 in accordance with your request.

Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region III office at (630) 829-9887 so that we can provide appropriate corrections and answers.

Please be advised that your license expires at the end of the day, in the month, and year stated in the license. Unless your license has been terminated, you must conduct your program involving byproduct materials in accordance with the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate in accordance with NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers; Inspections," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Notify NRC, in writing, within 30 days:
  - a. When the Radiation Safety Officer permanently discontinues performance of duties under the license or has a name change; or
  - b. When the licensee's mailing address changes (no fee is required if the location of byproduct material remains the same).
3. In accordance with 10 CFR 30.36(b) and/or license condition, notify NRC, promptly, in writing, and request termination of the license when you decide to terminate all activities involving materials authorized under the license.
4. Request and obtain a license amendment before you:
  - a. Change Radiation Safety Officers;

301664

- b. Order byproduct material in excess of the amount, or radionuclide, or form different than authorized on the license;
  - c. Add or change the areas of use or address or addresses of use identified in the license application or on the license; or
  - d. Change ownership of your organization.
5. Submit a complete renewal application with proper fee or termination request at least 30 days before the expiration date of your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of byproduct material after your license expires is a violation of NRC regulations. A license will not normally be renewed, except on a case-by-case basis, in instances where licensed material has never been possessed or used.

In addition, please note that NRC Form 313 requires the applicant, by his/her signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of the applicant's knowledge. The signatory for the application should be the licensee or certifying official rather than a consultant.

You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you. This could include issuance of a notice of violation, or imposition of a civil penalty, or an order suspending, modifying or revoking your license as specified in the General Policy and Procedures for NRC Enforcement Actions. Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken when dealing with licensees who do not achieve the necessary meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

Sincerely,

Original Signed By  
Evelyn R. Matson  
Nuclear Materials Licensing Branch

License No.: 21-23314-01

Docket No.: 030-20901

Enclosure: Amendment No. 05

DOCUMENT NAME: M:\03030901.CL6

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

|        |                     |                                     |                          |                          |                          |                          |                          |                          |                          |
|--------|---------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| OFFICE | DNMS/RIII <i>EM</i> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| NAME   | EMATSON:jaw         |                                     |                          |                          |                          |                          |                          |                          |                          |
| DATE   | 09/27/96            |                                     |                          |                          |                          |                          |                          |                          |                          |

OFFICIAL RECORD COPY



UNITED STATES NUCLEAR REGULATORY COMMISSION  
REGION III  
CONVERSATION RECORD

(X) TELEPHONE (X) OUTGOING ( ) INCOMING ( ) CONVERSATION

TIME: 2pm

DATE: 9/16/96

NAME OF PERSON(S) CONTACTED:

ORGANIZATION:

TELEPHONE NO.:

Thomas Hendricks

Wilcox Associates, Inc.

SUBJECT:

Merger of Licenses

SUMMARY:

Mr. Hendricks stated that Wilcox Associates bought his operation in totality. Mr. Wilcox is sole owner of Wilcox/Hendricks and Mr. Hendricks is the facility manager only.

ACTION REQUIRED:

Based on the above information, it is my conclusion that this action is not an ownership change. One licensee, Hendricks, sold his business but not his NRC license to Wilcox. Hendricks transferred his licensed material to an authorized recipient-Wilcox Associates. Hendricks now has no licensed material and wants to terminate his license. Wilcox has bought the gauge but not the license or any rights under the license since he already has his own license and will continue to operate in accordance with that license only.

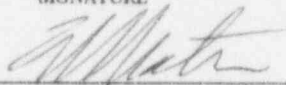
I will terminate Hendricks license in accordance with our termination procedures and I will amend Wilcox to add the new location of use.

ACTION TAKEN:

NAME OF PERSON DOCUMENTING CONVERSATION

Evelyn R. Matson

SIGNATURE



DATE

9/16/96

UNITED STATES NUCLEAR REGULATORY COMMISSION  
REGION III  
CONVERSATION RECORD

☐ TELEPHONE ☐ OUTGOING ☐ INCOMING ☒ CONVERSATION

TIME:

DATE: 9/9/96

NAME OF PERSON(S) CONTACTED: ORGANIZATION: TELEPHONE NO.:

Monte Phillips, Chief, Materials Inspection Branch 2

Tony Go, Inspector

SUBJECT:

Wilcox Associates, Inc.

License No. 21-23314-01

Amendment request to add additional locations of use.

SUMMARY:

I discussed with Monte and Tony the amendment request filed by Wilcox Associates. They stated that there had been some significant inspection findings regarding authorized locations of use, except they were not related to Thomas Hendricks. They stated that they saw no reason for holding up the amendment request and agreed that it would not jeopardize their inspection and enforcement activities.

ACTION REQUIRED:

ACTION TAKEN:

NAME OF PERSON DOCUMENTING CONVERSATION

Evelyn R. Matson

SIGNATURE

DATE

9/16/96



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION III  
801 WARRENVILLE ROAD  
LISLE, ILLINOIS 60532-4351

July 31, 1996

Richard D. Wilcox  
Radiation Safety Officer  
Wilcox Associates, Inc.  
7711 South U.S. 131  
Cadillac, MI 49601

SUBJECT: ACKNOWLEDGEMENT OF CORRESPONDENCE  
(☒ Letter Dated July 22, 1996)

Dear Licensee:

In response to your request, we have completed the initial processing, which is an administrative review of your application for a(n):

☐ New License      ☒ Amendment      ☐ Renewal  
☐ Termination      ☐ Auth User (Amendment not required)      ☐ QMP Revision  
☐ Other \_\_\_\_\_

No administrative deficiencies were identified during this initial review. However, it should be noted that a technical review may identify omissions in the submitted information, technical issues that require additional information, or policy/technical issues that require coordination with headquarters or other NRC regional offices.

It appears that your request is routine (see 1-3 below, as applicable) and complete.

1. New and amendment actions are normally processed within 90 days, unless we find major deficiencies, or policy issues requiring central program office assistance.
2. Renewal actions are normally processed within 180 days, however, under timely filing (before expiration), you may continue to operate under your existing license.
3. Termination actions are normally processed within 90 days, unless confirmatory surveys following decontamination/decommissioning activities are involved.

A copy of your correspondence has been forwarded to our Licensing Fee and Debt Collection Branch (301/415-6097) for approval of the fee category and amount.

If you have a compelling safety or business-related reason for requesting expedited review, please contact the Materials Licensing Branch at (708) 829-9887. We will try to complete your request as soon as practicable. Any correspondence about this request should reference the control number.

Nuclear Materials Support Branch

Mail Control No. 301664  
License No. 21-23314-01