

MATERIALS LICENSE

Amendment No. 04

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.

301705

Licensee

1. City of Kirksville
City Engineer
2. 201 S. Franklin
Kirksville, MO 63501

In accordance with letter dated
August 6, 1996

3. License Number 24-18995-01 is amended in
its entirety to read as follows:

4. Expiration Date August 31, 2000

5. Docket or
Reference No. 030-17623

6. Byproduct, Source, and/or
Special Nuclear Material

A. Cesium-137

B. Americium-241

7. Chemical and/or Physical
FormA. Sealed source
(Troxler Dwg.
No. A-102112)B. Sealed source
(Troxler Dwg.
No. A-102451)8. Maximum Amount that Licensee
May Possess at Any One Time
Under This LicenseA. Five sources not
to exceed 10
millicuries eachB. Five sources not
to exceed 50
millicuries each

9. Authorized Use:

A. and B. To be used in Troxler Model 3400 Series surface moisture/density gauges.

CONDITIONS

10. Licensed material may be stored at 201 S. Franklin Street, Kirksville, MO 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. Licensed material shall be used by, or under the supervision and in the physical presence of, individuals who have completed a gauge manufacturer's training course and have been designated by the licensee's Radiation Protection Officer. The licensee shall maintain records of the individuals who have been designated as authorized users.
12. The Radiation Protection Officer for the activities authorized by this license is Craig Dawson.

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PDR ADOCK 03017623
C PDR

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**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number
24-18995-01

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13. A. (1) The source(s) specified in Item(s) 7.A. and 7.B. shall be tested for leakage and/or contamination at intervals not to exceed 6 months. Any source received from another person which is not accompanied by a certificate indicating that a test was performed within 6 months before the transfer 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 10 microcuries or less of alpha emitting material.
- B. Any source in storage and not being used need not be tested. When the source is removed from storage for use or transfer to another person, it shall be tested before use or transfer.
- C. The 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, the source shall be removed from service and decontaminated, repaired, or disposed of in accordance with Commission regulations. A 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, 801 Warrenville Road, Lisle, Illinois 60532, ATTN: Chief, Nuclear Materials Safety Branch. The report shall specify the source involved, the test results, and corrective action taken. Records of leak test results shall be kept in units of microcuries and shall be maintained for inspection by the Commission. Records may be disposed of following Commission inspection.
- D. The licensee is authorized to collect leak test samples for analysis by Troxler or tests for leakage and/or contamination shall be performed by persons specifically licensed by the Commission or an Agreement State to perform such services.
14. Sealed sources containing licensed material shall not be opened or removed from the gauges 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 may transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."

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17. 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.
18. The licensee shall maintain records of information important to safe and effective decommissioning at the location listed in item 2 of this license per the provisions of 10 CFR 30.35(g) until this license is terminated by the Commission.
19. 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 date June 4, 1990; and
 - B. Letter dated June 1, 1990.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date

October 22, 1996

By

Lizbeth Watson
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: 20000831
FEE COMMENTS:
DECOM FIN ASSUR RECDT N

LICENSE FEE TRANSMITTAL

A. REGION

1. APPLICATION ATTACHED
APPLICANT/LICENSEE: KIRKSVILLE, CITY OF
RECEIVED DATE: 960809
DOCKET NO: 3017623
CONTROL NO.: 301705
LICENSE NO.: 24-18995-01
ACTION TYPE: AMENDMENT

2. FEE ATTACHED
AMOUNT: \$300.00
CHECK NO.: 58886

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

RSO Charge

AUG 26 1996

Log	Aug 7 III
Remitter	
Check No.	58886
Amount	\$300
Fee Category	3P
Type of Fee	Ampl
Date Check Rec'd	8/15/96
Date Completed	8/23/96
By:	SC

1026 AUG 15 PM 3:30

KIRKSVILLE

M I S S O U R I

201 S. Franklin
Kirkville, Missouri 63501-3580
(816) 627-1272
Fax: (816) 665-0940

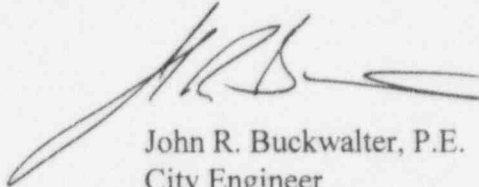
August 6, 1996

Materials Licence Branch
U.S. Nuclear Regulatory Commission, Region III
801 Warrenville Rd.
Lysle, IL 60532-4351

To Whom it may concern,

Enclosed please find a check in the amount of \$300.00 for the purpose of amending our licence # 24-18995-01. The current licence lists Michael Leavitt as the Radiation Safety Officer for the City of Kirkville. Michael left the employment of the City of Kirkville earlier this year to accept a new position in Denton, Texas. Please amend this licence to show the new Radiation Safety Officer as Craig Dawson. A copy of Craig's certification is attached. Craig is an Engineering Technician II and has had the same training as Michael.

Sincerely,



John R. Buckwalter, P.E.
City Engineer

RECEIVED
AUG 09 1996
REGION III

pm 8/6/96

301705
AUG 09 1996

TROXLER ELECTRONIC LABORATORIES, INC.

HEREBY CERTIFIES THAT

Craig Dawson

of

City of Kirksville Engineering Dept.

HAS SUCCESSFULLY COMPLETED THE TROXLER ELECTRONIC LABORATORIES, INC.
TRAINING COURSE FOR THE USE OF NUCLEAR TESTING EQUIPMENT.

SUBJECTS INCLUDED IN THIS COURSE WERE AS FOLLOWS:

Radiological Safety

- | | |
|--|---|
| 1. Principles and practices of radiation protection. | 5. Radioactivity measurement standardization and monitoring techniques and instruments. |
| 2. Leak testing procedures. | 6. Accident and incident procedures. |
| 3. Mathematics and calculations basic to the use and measurement of radioactivity. | 7. Procedures for nuclear gauge storage and transportation. |
| 4. Biological effects of radiation. | 8. General safety precautions. |

Gauge Operation

- | | |
|-------------------------|----------------------|
| 1. Instrument theory | 4. Field application |
| 2. Operating procedures | 5. Gauge calibration |
| 3. Maintenance | |

Stuart S. Spitzer
INSTRUCTOR

04-24-90

DATE

W.F. Troxler

PRESIDENT

Nº 29632

OCT 23 1996

John R. Buckwalter, P.E.
City Engineer
City of Kirksville
201 S. Franklin
Kirksville, MO 63501

Dear Mr. Buckwalter:

Enclosed is Amendment No. 04 to your NRC Material License No. 24-18995-01 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;

301705

- 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
Gidget Watson
Nuclear Materials Licensing Branch

License No.: 24-18995-01

Docket No.: 030-17623

Enclosure: Amendment No. 04

DOCUMENT NAME: M:\03017623.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								
NAME	GWATSON:jaw								
DATE	08/28/96 JW								

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