

APPLICATION FOR MATERIAL LICENSE

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.

FEDERAL AGENCIES FILE APPLICATIONS WITH:

U.S. NUCLEAR REGULATORY COMMISSION  
DIVISION OF FUEL CYCLE AND MATERIAL SAFETY, NMSS  
WASHINGTON, DC 20555

ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS, IF YOU ARE LOCATED IN:

CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, MAINE, MARYLAND,  
MASSACHUSETTS, NEW JERSEY, NEW YORK, PENNSYLVANIA, RHODE ISLAND,  
OR VERMONT, SEND APPLICATIONS TO:

U.S. NUCLEAR REGULATORY COMMISSION, REGION I  
NUCLEAR MATERIAL SECTION 8  
631 PARK AVENUE  
KING OF PRUSSIA, PA 19406

ALABAMA, FLORIDA, GEORGIA, KENTUCKY, MISSISSIPPI, NORTH CAROLINA,  
PUERTO RICO, SOUTH CAROLINA, TENNESSEE, VIRGINIA, VIRGIN ISLANDS, OR  
WEST VIRGINIA, SEND APPLICATIONS TO:

U.S. NUCLEAR REGULATORY COMMISSION, REGION II  
MATERIAL RADIATION PROTECTION SECTION  
101 MARIETTA STREET, SUITE 2900  
ATLANTA, GA 30323

IF YOU ARE LOCATED IN:

ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR  
WISCONSIN, SEND APPLICATIONS TO:

U.S. NUCLEAR REGULATORY COMMISSION, REGION III  
MATERIALS LICENSING SECTION  
799 ROOSEVELT ROAD  
GLEN ELLYN, IL 60137

ARKANSAS, COLORADO, IDAHO, KANSAS, LOUISIANA, MONTANA, NEBRASKA,  
NEW MEXICO, NORTH DAKOTA, OKLAHOMA, SOUTH DAKOTA, TEXAS, UTAH,  
OR WYOMING, SEND APPLICATIONS TO:

U.S. NUCLEAR REGULATORY COMMISSION, REGION IV  
MATERIAL RADIATION PROTECTION SECTION  
611 RYAN PLAZA DRIVE, SUITE 1000  
ARLINGTON, TX 76011

ALASKA, ARIZONA, CALIFORNIA, HAWAII, NEVADA, OREGON, WASHINGTON,  
AND U.S. TERRITORIES AND POSSESSIONS IN THE PACIFIC, SEND APPLICATIONS  
TO:

U.S. NUCLEAR REGULATORY COMMISSION, REGION V  
MATERIAL RADIATION PROTECTION SECTION  
1450 MARIA LANE, SUITE 210  
WALNUT CREEK, CA 94596

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 JURISDICTION.

1. THIS IS AN APPLICATION FOR (Check appropriate item)

- ☒ A. NEW LICENSE  
☐ B. AMENDMENT TO LICENSE NUMBER \_\_\_\_\_  
☐ C. RENEWAL OF LICENSE NUMBER \_\_\_\_\_

2. NAME AND MAILING ADDRESS OF APPLICANT (Include Zip Code)

J. H. Maxymillian, Inc.  
1801 East Street  
Pittsfield, MA 01201

3. ADDRESS(ES) WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED.

At address listed in Item 2 and at temporary job sites throughout the United States where the U. S. Nuclear Regulatory Commission maintains jurisdiction over the use of by-product material.

4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

Anthony Simonelli

TELEPHONE NUMBER

(413) 499-3050

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.

5. RADIOACTIVE MATERIAL

a. Element and mass number, b. chemical and/or physical form, and c. maximum amount which will be possessed at any one time.

6. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED.

7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING AND EXPERIENCE.

8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS.

9. FACILITIES

8508140294 850724  
REG1 LIC30  
20-20853-01 PDR

10. RADIATION SAFETY PROGRAM.

11. WASTE MANAGEMENT

12. LICENSEE FEES (See 10 CFR 170 and Section 170.21)

FEE CATEGORY 3P AMOUNT ENCLOSED \$ \$230.00

13. CERTIFICATION. (Must be completed by applicant) THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BINDING UPON THE APPLICANT.

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, 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, 62 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.

SIGNATURE—CERTIFYING OFFICER

TYPED/PRINTED NAME

TITLE

DATE

*Anthony J. Simonelli*

Anthony J. Simonelli

Radiation Safety Officer

5/22/85

14. VOLUNTARY ECONOMIC DATA

ANNUAL RECEIPTS

<\$250K  
\$250K—500K  
\$500K—750K  
\$750K—1M

\$1M—3.5M  
\$3.5M—7M  
\$7M—10M  
>\$10M

b. NUMBER OF EMPLOYEES (Total for entire facility excluding outside contractors)

c. NUMBER OF BEDS

d. WOULD YOU BE WILLING TO FURNISH COST INFORMATION (Dollar and/or staff hours) ON THE ECONOMIC IMPACT OF CURRENT NRC REGULATIONS OR ANY FUTURE PROPOSED NRC REGULATIONS THAT MAY AFFECT YOU? (NRC regulations permit it to protect confidential commercial or financial—proprietary—information furnished to the agency in confidence)

☐ YES ☒ NO

FOR NRC USE ONLY

TYPE OF FEE

FEE LOG

FEE CATEGORY

COMMENTS

App. June 1

I

3P

ML10

03874

AMOUNT RECEIVED

CHECK NUMBER

\$230/8049

"OFFICIAL RECORD COPY"

MAY 28 1985

APPROVED BY

DATE

*Francis Brown*

6/6/85

## PRIVACY ACT STATEMENT

Pursuant to 5 U.S.C. 552a(e)(3), enacted into law by section 3 of the Privacy Act of 1974 (Public Law 93-579), the following statement is furnished to individuals who supply information to the Nuclear Regulatory Commission on NRC Form 313. This information is maintained in a system of records designated as NRC-3 and described at 40 Federal Register 45334 (October 1, 1975).

1. **AUTHORITY:** Sections 81 and 161(b) of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2111 and 2201(b)).
2. **PRINCIPAL PURPOSE(S):** The information is evaluated by the NRC staff pursuant to the criteria set forth in 10 CFR Parts 30, 32, 33, 34, 35 and 40 to determine whether the application meets the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations, for the issuance of a radioactive material license or amendment thereof.
3. **ROUTINE USES:** The information may be (a) provided to State health departments for their information and use; and (b) provided to Federal, State, and local health officials and other persons in the event of incident or exposure, for their information, investigation, and protection of the public health and safety. The information may also be disclosed to appropriate Federal, State, and local agencies in the event that the information indicates a violation or potential violation of law and in the course of an administrative or judicial proceeding. In addition, this information may be transferred to an appropriate Federal, State, or local agency to the extent relevant and necessary for an NRC decision or to an appropriate Federal agency to the extent relevant and necessary for that agency's decision about you.
4. **WHETHER DISCLOSURE IS MANDATORY OR VOLUNTARY AND EFFECT ON INDIVIDUAL OF NOT PROVIDING INFORMATION:** Disclosure of the requested information is voluntary. If the requested information is not furnished, however, the application for radioactive material license, or amendment thereof, will not be processed. A request that information be held from public inspection must be in accordance with the provisions of 10 CFR 2.790. Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned need to inspect the document.
5. **SYSTEM MANAGER(S) AND ADDRESS:** U.S. Nuclear Regulatory Commission  
Director, Division of Fuel Cycle and Material Safety  
Office of Nuclear Material Safety and Safeguards  
Washington, D.C. 20555

APPLICATION FOR MATERIAL LICENSE

ITEM 5

	a.	b.	c.	d.
	<u>Radionuclei</u>	<u>Form - Metal Solid</u>	<u>Troxler Dwg. #</u>	<u>Maximum Amount</u>
5A.	Cs-137	Special Form	A-102112	Not to exceed 9 mCi per source
5B.	Am-241:Be	Special Form	A-102451	Not to exceed 44 mCi per source

ITEM 6

To be used in Troxler Model 3411 B Series Surface Moisture/Density Gauge to measure soil and asphalt compaction at various jobsites.

ITEM 7

Anthony J. Simonelli has been designated Radiation Safety Officer. He has completed the Troxler Nuclear Gauge Training Course.

ITEM 8

Each operator will attend the Troxler Training Seminar. Anthony J. Simonelli will keep a copy of each individual's training certificate on file.

ITEM 9

(Sketch attached). The following are individuals who have keys to the storage area. All have completed the Troxler Training Program:

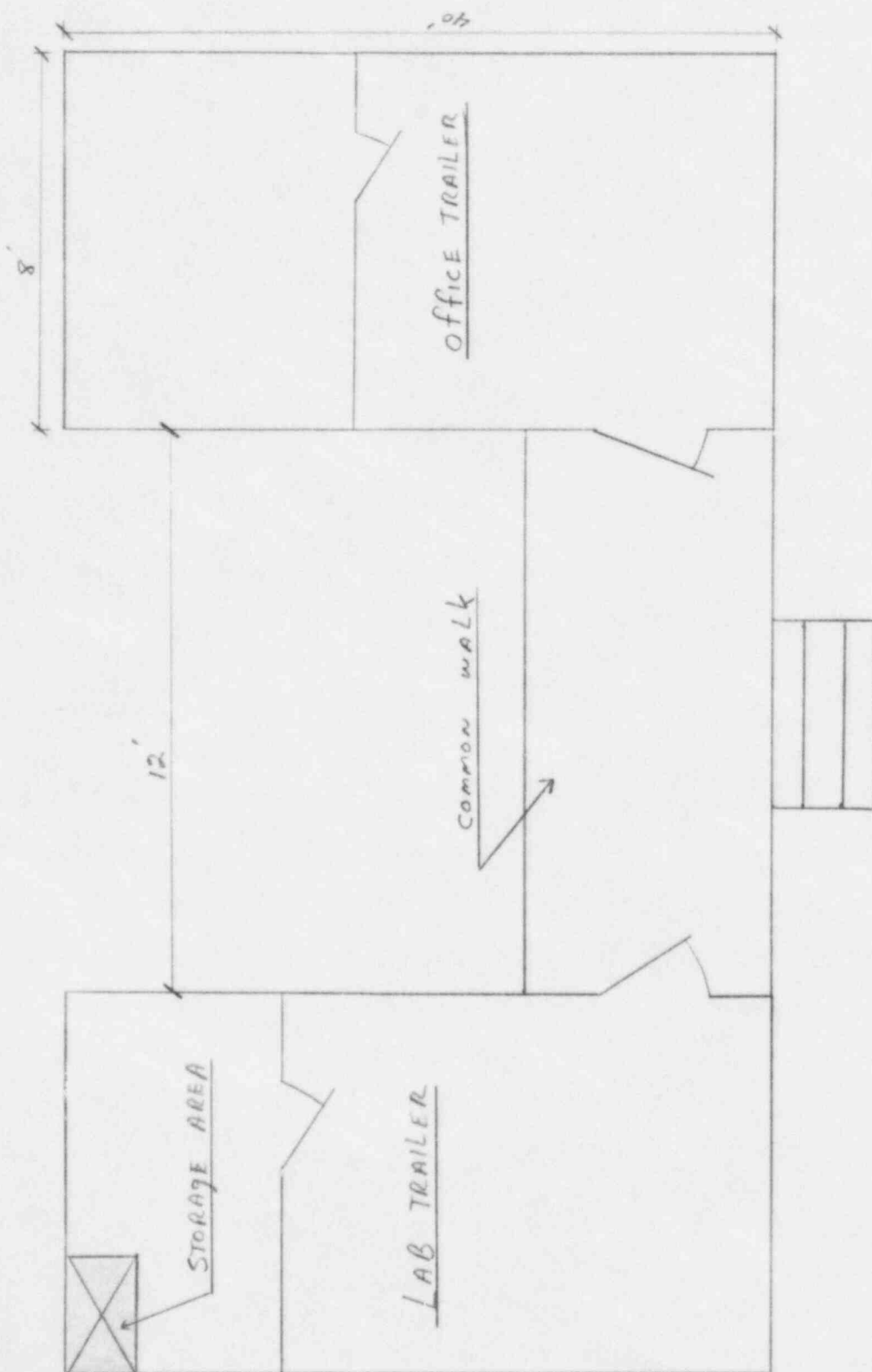
1. George Buckley
2. H. Allen Goldsmith
3. James DaSilva

ITEM 10

(Attached)

ITEM 11

Waste Management - Transfer would be made only to another licensed user, a licensed burial ground or back to the manufacturer.



NUCLEAR GAUGE STORAGE AREA

## RADIATION SAFETY PROGRAM

### 1. Radiation Safety Officer

A. Anthony Simonelli has been designated as the company Radiation Safety Officer and will assume the duties and responsibilities that include the following:

1. To ensure that all terms and conditions of the license are being met and that the information contained in the license is up-to-date.
2. To ensure that the equipment has been leak tested in the required timely manner and that the leak test is performed in the manner prescribed by the equipment manufacturer.
3. To ensure that the use of the equipment is only by individuals that have been authorized by the Radiation Safety Officer and that all users wear personnel monitoring equipment when utilizing the equipment.
4. To maintain the records as required by the license and the regulations. These records shall include personnel exposure records, leak test records and training certificates for all users.
5. To ensure that the equipment is properly secured against unauthorized removal at all times when it is not in use.
6. To serve as a point of contact and give assistance in case of emergency such as equipment damaged in the field or theft and to notify the proper authorities in case of emergency.
7. To ensure that all users have read and understand the radiation safety operating and emergency procedures.
8. To post NRC Notice to Employees in a highly visible area.
9. To post "WARNING - RADIOACTIVE MATERIAL" on the storage location.

### 2. Operating Procedures

#### A. Transportation of Equipment

1. All possible means shall be provided to ensure that the equipment is fully secured in the transporting vehicle and the equipment is away from the passenger compartment. When transporting in an enclosed vehicle (car or van), the vehicle will be locked. When transporting in an open bed vehicle, the gauge should be securely fastened and locked to the truck bed.

2. The gauge will be transported in the TROXLER transportation case. The U. S. Department of Transportation requires that the gauge be transported in a properly labeled carrying case. The case conforms to all Department of Transportation regulations.
3. At all times during transport, the operator will have a properly completed Bill of Lading for each gauge, source certificate, training certificate and personal I.D.

#### B. Utilization Procedures

1. When the gauge is in the field, we as the authorized user will maintain control over the gauge at all times. The gauge will never be left unattended.
2. When not making measurements, the gauge will be placed in the transportation case and returned to its permanent storage area as soon as possible. The gauge is to be used for its intended purpose only. By doing so, we will maintain any radiation exposure to as low as reasonably attainable, such as keeping the source in its shielded position.
3. When using the equipment, we will wear the personnel monitoring device that has been assigned to us. When we are not using the equipment, our monitoring device is to be stored in the radiation free area that has been designated in the office.
4. A utilization log book will be used to control the gauges destination at all times. It will be signed out and in by the operator.
5. R. S. Landaver will supply the film badges. They will be type B1, which monitor both gamma and neutron exposures.

#### C. Maintenance and Leak Test Procedures

1. Periodic maintenance will include cleaning the gauge. During any maintenance, we will wear our personnel monitoring device. Sometimes periodic maintenance requires the source rod to be removed for cleaning, at which point it will be placed in a lead pig or at least 15 feet away from any individual.
2. No maintenance will be performed in which the radioactive source is removed from the gauge. For this type of maintenance, the gauge will be returned to the manufacturer.
3. The leak test will be performed using the TROXLER Model 3880 Leak Test Kit. The leak test will be performed using the manufacturer's instructions. Again, the personnel monitoring device will be employed. Gauges will be leak tested at intervals not to exceed six (6) months, at which point a physical inventory will also be taken.



### 3. Emergency Procedures

- A. In the event of physical damage to a gauge, the following will be performed:
  - 1. Immediately cordon off an area around the gauge. An area radius of 15 feet will be sufficient.
  - 2. If a vehicle is involved, it must be stopped until the extent of contamination, if any, can be established.
  - 3. A visual inspection of the gauge is to be made to determine if the source housing and/or shielding has been damaged.
  - 4. At the earliest possible time, when the situation is under control, you must contact Anthony Simonelli at (413) 499-3050. Describe the present conditions and follow the instructions of the Radiation Safety Officer.
- B. In the event the gauge is lost or stolen, immediately notify the Radiation Safety Officer as listed above in Item 3.A.4.

BETWEEN: William O. Miller, Chief  
License Fee Management Branch  
Office of Administration

John E. Glenn, Chief  
Nuclear Materials Section B  
Division of Engineering and  
Technical Programs

LICENSE FEE TRANSMITTAL

A. REGION I

1. APPLICATION ATTACHED

Applicant/Licensee: J. H. Maxymillian, Inc

Application Dated: 5/22/85

Control No.: 03874

License No.: New

2. FEE ATTACHED

Amount: \$230.00

Check No.: 8049

3. COMMENTS

Signed Brenda Platchek

Date 5/29/85

B. LICENSE FEE MANAGEMENT BRANCH

1. Fee Category and Amount: 3P \$230

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

Amendment                     

Renewal                     

License ✓

Signed Frances Brown

Date 6/6/85

6/6/85