

MATERIALS LICENSE

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, 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 application dated September 11, 1992	
1. The Terracon Companies, Inc.		3. License number 15-27070-01 is amended in its entirety to read as follows:	
2. 16000 College Boulevard Lenexa, Kansas 66219		4. Expiration date October 31, 1992	
		5. Docket or Reference No 030-32176	
6. Byproduct, source, and/or special nuclear material	7. Chemical and/or physical form	8. Maximum amount that licensee may possess at any one time under this license	
A. Cesium-137	A. Sealed sources (Campbell Pacific Nuclear Model CPN-131)	A. 20 sources not to exceed 10 millicuries per source	
B. Americium-241	B. Sealed neutron sources (Campbell Pacific Nuclear Model CPN-131)	B. 20 sources not to exceed 50 millicuries per source	
C. Cesium-137	C. Sealed sources (Troxler Dwg. No. A-102112)	C. 20 sources not to exceed 10 millicuries per source	
D. Americium-241	D. Sealed neutron sources (Troxler Dwg. No. A-102451)	D. 20 sources not to exceed 50 millicuries per source	
E. Americium-241	E. Sealed neutron sources (CPN Dwg. No. CPN-131)	E. 6 sources not to exceed 100 millicuries per source	
F. Americium-241	F. Sealed neutron sources (Troxler Dwg. No. A-100608)	F. 6 sources not to exceed 100 millicuries per source	

250051

9302260157 921231
PDR ADOCK 03032176
C PDR

OFFICIAL RECORD COPY

MLAO

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License number
15-27070-01

Docket or Reference number
030-32176

G. Cesium-137/Americium-241

G. Sealed sources
(Troxler Dwg. No. A-100281

G. 20 Sources not to exceed 10 millicuries of Cs-137 or 50 millicuries of Am-241

H. Americium-241

H. Sealed neutron sources (Troxler Dwg. No. A0-100337)

H. 6 sources not to exceed 300 millicuries per source

9. Authorized use

A. and B. For use in Campbell Pacific Nuclear Corporation, MC Series, MD Series, and Model 500 Series portable moisture/density gauges for measurement of properties of materials.

C. and D. For use in Troxler Series 3400 portable nuclear moisture/density gauges for measurement of properties of materials.

E. For use in Campbell Pacific Nuclear Corporation AC Series portable moisture/density gauges for measurement of properties of materials.

F. For use in Troxler Model 3241-C portable nuclear moisture/density gauges for measurement of materials.

G. For use in Troxler Model 2401 portable nuclear moisture density gauges for measurement of properties of materials.

H. For use in Troxler Model 3241 asphalt content gauge for measurement of the asphalt content of paving mixes.

MATERIALS LICENSE
SUPPLEMENTARY SHEET

License number
15-27070-01

Docket or Reference number
030-32176

CONDITIONS

10. Licensed material may be stored at the licensee's facilities at 7810 NW 100th Street, Kansas City, Missouri; 832 NW 67th Street, Suite 1, Oklahoma City, Oklahoma; 5865 South Garnett Road, Tulsa, Oklahoma; 5491 Kendall Street, Boise Idaho, 3151 Nationway, Suite 11, Cheyenne, Wyoming; and 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. Licensed material shall be used by, or under the supervision and in the physical presence of, individuals who have completed the device manufacturer's radiation safety training program, and who have been designated by the licensee's Radiation Protection Officer.
B. The Radiation Safety Officer for this license is Gary K. Bradley.
12. A. (1) The sources specified in Items 7.A. through 7.H. 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 IV, 611 Ryan Plaza Drive, Suite 1000, Arlington, Texas 76011, ATTN: Director, Division of Radiation Safety and Safeguards. 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.

MATERIALS LICENSE
SUPPLEMENTARY SHEET

License number
15-27070-01

Docket or Reference number
030-32176

12. (Continued)

D. The licensee is authorized to collect leak test samples for analysis by Campbell Pacific Nuclear Corporation, Troxler, Nuclear Testing Service or Pacific Nuclear Technology Co. 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.

13. Sealed sources containing licensed material shall not be opened.

14. Maintenance or repair of portable devices involving removal of the sealed sources from the devices or removal or dismantling of shielding may be performed only by the device manufacturer or by other persons specifically authorized by the Commission or an Agreement State to perform such services.

15. The licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license. Records of inventories shall be maintained for 2 years from the date of each inventory.

16. The licensee may transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."

17. The licensee shall maintain records of information important to safe and effective decommissioning at 16000 College Boulevard, Lenexa, Kansas, per the provision of 10 CFR 30.35(g) until this license is terminated by the Commission.

18. 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 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 April 30, 1986
- B. Letter dated March 28, 1991
- C. Letter dated September 11, 1992

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date

DEC 31 1992

By

Original Signed By
Jack E. Whitten

Nuclear Materials Licensing Section
Region IV
Arlington, Texas 76011



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV

811 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

DEC 31 1992

The Terracon Companies, Inc.
16000 College Boulevard
Lenexa, Kansas 66219

Gentlemen:

Please find enclosed Amendment No. 1 to your NRC material license. You should review this amendment carefully and be sure that you understand all conditions. If you have any questions, you may contact the reviewer who signed your license at 817/860-8100.

Please be advised that you must conduct your program involving radioactive 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: Inspection and Investigations," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Possess radioactive material only in the quantity and form indicated in your license.
3. Use radioactive material only for the purpose(s) indicated in your license.
4. Notify NRC in writing of any change in mailing address (no fee required if the location of radioactive material remains the same).
5. Request and obtain written NRC consent before transferring your license or any right thereunder, either voluntarily or involuntarily, directly or indirectly, through transfer of control of your license to any person or entity. A transfer of control of your license includes not only a total change of ownership, but also a change in the controlling interest in your company whether it is a corporation, partnership, or other entity. In addition, appropriate license amendments must be requested and obtained for any other planned changes in your facility or program that are contrary to your license or contrary to representations made in your license application, as well as supplemental correspondence thereto, which are incorporated into your license. A license fee may be charged for the amendments if you are not in a fee-exempt category.
6. Submit a complete renewal application with proper fee, or termination request at least 30 days before the expiration date on your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of radioactive material after your license expires is a

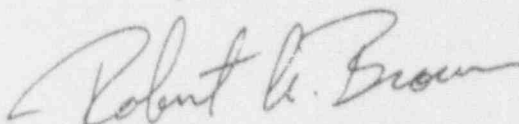
violation of NRC regulations.

7. Request termination of your license if you plan to permanently discontinue activities involving radioactive material.

You will be periodically inspected by NRC. A fee may be charged for inspections in accordance with 10 CFR Part 170. 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; 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 Action, 10 CFR Part 2, Appendix C. 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 the NRC expects of its licensees.

Thank you for your cooperation.

Sincerely,



Robert A. Brown
Nuclear Materials Licensing Section

Enclosure:
As stated

RIV:NML
RABrown
11/13/91

NMLS
JEWWhitten
12/31/91



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV
611 RYAN PLAZA DRIVE, SUITE 1000
ARLINGTON, TEXAS 76011

BETWEEN: Glenda Jackson, Chief
License Fee Management Branch, Office of Administration

William L. Fisher, Chief
Nuclear Materials Licensing Section, Region IV

LICENSEE FEE TRANSMITTAL

OCT 9 1992

A. REGION IV

1. APPLICATION ATTACHED

Applicant/Licensee: Terracon Consultants, Inc.

Application Dated: 9/16/92

Control No.: 464399

License No.: 15-27070-01

2. FEE ATTACHED

Amount: \$380.⁰⁰

Check No.: 300037

3. COMMENTS

Signed Billie Muszynski Date 9/21/92

B. LICENSEE FEE MANAGEMENT BRANCH

1. Fee Category and Amount: 3P \$380 + \$30

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

Amendment ✓

Renewal

License

Signed J. Rodriguez Date 10/17/92

Terracon Consultants, Inc.
Attn: Gary K. Bradley
14700 W. 107th Street
Lenexa, KS 66215-2891

SEP 30 1992

Gentlemen:

This refers to your letter dated September 11, 1992, for amendment to Materials License 15-27070-01.

We received your check for \$380. Your request, however, is subject to an amendment fee of \$410 as specified in fee Category 3P or \$170.31, 10 CFR 170, which went into effect August 24, 1992. A copy of the July 24, 1992, Federal Register notice regarding the revisions to the Commission's license and annual fee regulations (10 CFR 170 and 10 CFR 171) is enclosed.

Please note that effective August 24, 1992, materials licensees are also subject to the annual fees specified in revised 10 CFR 171. Payment of the additional \$30 fee should be made to the U.S. Nuclear Regulatory Commission and mailed to the following address:

U.S. Nuclear Regulatory Commission
ATTN: Marnella Rodriguez
License Fee and Debt Collection Branch, OC/DAF
Mail Stop MNBB 4503
Washington, DC 20555

Your application will be processed by the Region IV Licensing staff located at 611 Ryan Plaza Drive, Suite 1000, Arlington, Texas 76011. The fee, however, is required prior to issuance of the amendment. When submitting the additional fee, please refer to CONTROL NUMBER 464399.

If we do not receive a reply from you within 30 calendar days from the date of this letter, we shall assume that you do not wish to pursue your application and will void this action.

Sincerely,

151

Marnella Rodriguez
License Fee and Debt Collection Branch
Division of Accounting and Finance
Office of the Controller

Enclosure:
July 23, 1992, Federal Register notice

cc: Region IV

DISTRIBUTION

Pending Fee File
OC/DAF R/F
LFDCH R/F (2)

OFFICE: OC/LFDCH
NAME: JMRodriguez
DATE: 9/28/92

OC/LFDCH
MMes_er
9/28/92

JIM2\B:TCI.MER

SEP 25 1992

Terracon Companies, Inc.
Attn: Gary K. Bradley, R.S.O.
16000 College Blvd
Lenexa, KS 66219

Gentlemen:

This refers to your letter dated August 17, 1992, for an amendment to Materials License 15-27070-01.

Your request is subject to an amendment fee of \$410 as specified in fee Category 3P of \$170.31, 10 CFR 170, which went into effect August 24, 1992. A copy of the July 23, 1992, Federal Register notice regarding the revisions to the Commission's license and annual fee regulations (10 CFR 170 and 10 CFR 171) is enclosed.

Payment of the \$410 fee should be made to the U.S. Nuclear Regulatory Commission and mailed to the following address:

U.S. Nuclear Regulatory Commission
ATTN: Marnella Rodriguez
License Fee and Debt Collection Branch, OC/DAF
Mail Stop MNBB 4503
Washington, D.C. 20555

Your application will be processed by the Region IV Licensing staff located at 611 Ryan Plaza Drive, Suite 1000, Arlington, Texas 76011. The fee, however, is required prior to issuance of the amendment. When submitting the fee, please refer to CONTROL NUMBER 464399.

If we do not receive a reply from you within 30 calendar days from the date of this letter, we shall assume that you do not wish to pursue your application and will void this action.

Sincerely,

131
Marnella Rodriguez
License Fee and Debt Collection Branch
Division of Accounting and Finance
Office of the Controller

Enclosure:

July 23, 1992, Federal Register notice

cc: Region IV

DISTRIBUTION

Pending Fee File

OC/DAF R/F

LFDCB R/F (2)

OFFICE: OC/LFDCB
NAME: MRodriguez
DATE: 9/13/92

OC/LFDCB
MMessier
9/13/92

JIM\B:TC.mer

September 11, 1992

U.S. Nuclear Regulatory Commission
Region IV
611 Ryan Plaza Drive, Suite 1000
Arlington, Texas 76011
Attention: Jack E. Whitten

Log *3 TV*
Remitter *Terracon*
C# *0300037-030043*
P# *380*
T# *3P*
Type *AMD*
Date *9/24/92*
By *J. J. [Signature]*

Terracon

THE TERRACON COMPANIES, INC.
16000 College Boulevard
Lenexa, Kansas 66219
(913) 590-6800

SEP 21 1992

Dear Mr. Whitten,

Please reference previous correspondence of August 17, 1992 wherein The Terracon Companies, Inc. and recently acquired Empire Laboratories, Inc. proposed to merge NRC Materials Licenses. On September 9, 1992, I received a call from NRC Legal Counsel Bill Brown who informed me that he had no legal objection to our proposal to merge the two licenses. Having received advance legal approval from the NRC, The Terracon Companies, Inc. hereby formally requests the following amendments to U.S. Nuclear Regulatory Commission License Number 15-27070-01 (Reference Number 030-32176):

Addition of Items 6. G., 7. G. and 8. G. to read as follows:

- 6. G. Cesium-137/Americium-241
- 7. G. Combined Sealed sources, Troxler drawing number A-100281
- 8. G. Maximum of twenty (20) sources; no single source to exceed 10 millicuries of Cesium-137 or 50 millicuries of Americium-241 per source.

Addition of Items 6 H., 7. H. and 8. H. to read as follows:

- 6. H. Americium-241
- 7. H. Sealed neutron source, Troxler drawing number A-100337
- 8. H. Maximum of six (6) sources, no single source to exceed 300 millicuries of Americium-241 per source.

Amendment of Item 9 A. and B. to read as follows:

For use in Campbell Pacific Nuclear Corporation MC Series, MD Series and Model 500 Series moisture density gauges for measurement of properties of materials.

Addition of Item 9. G. to read as follows:

For use in Troxler Model 2401 moisture/density gauges for measurement of properties of materials.

Addition of Item 9. H. to read as follows:

For use in Troxler Model 3241 asphalt content gauge for measurement of the asphalt content of paving mixes.

Amendment of Condition 10. to read as follows:

Licensed material to be stored at licensee's facilities located at 7810 N.W. 100th Street, Kansas City, Missouri, and at 832 N. W. 67th Street, Ste. 1, Oklahoma City, Oklahoma, and at 5865 South Garnett Road, Tulsa, Oklahoma, and at 5491 Kendall Street, Boise, Idaho and at The Terracon Companies, Inc. facility --doing business as-- Empire Laboratories, Inc., 3151 Nationway, Suite K-11, Cheyenne, Wyoming 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.

Amendment of Condition 12. A. to read as follows:

The sources specified in Items 7.A. through 7.H. 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 service until tested.

Offices of The Terracon Companies, Inc.

Geotechnical, Environmental and Materials Engineers

Alaska: Anchorage ■ Colorado: Colorado Springs, Denver, Ft. Collins, Greeley, Longmont ■ Idaho: Boise
Illinois: Bloomington, Chicago, Rock Island ■ Iowa: Cedar Falls, Cedar Rapids, Davenport, Des Moines, Storm Lake
Kansas: Lenexa, Topeka, Wichita ■ Minnesota: St. Paul ■ Missouri: Kansas City ■ Nebraska: Lincoln, Omaha
Oklahoma: Oklahoma City, Tulsa ■ Texas: Dallas ■ Utah: Salt Lake City ■ Wyoming: Cheyenne

QUALITY ENGINEERING SINCE 1985

464398

Amendment of Condition 12. D. to read as follows:

The licensee is authorized to collect leak test samples for analysis by Campbell Pacific, Troxler, Nuclear Testing Service or Pacific Nuclear Technology Co., 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.

All other conditions and procedures shall remain as listed on U.S. Nuclear Regulatory Commission Materials License # 15-27070-01. These amendments are submitted in order to incorporate licensed materials operations at the recently acquired Empire Laboratories, Inc. facility in Cheyenne, Wyoming, formerly conducted under U.S. Nuclear Materials License number 49-15555-01. This amendment also adds a permanent storage location at The Terracon Companies, Inc. office recently opened in Boise, Idaho. Facility diagrams for the Boise, Idaho office and the Empire Laboratories, Inc. office in Cheyenne, Wyoming are attached. A Local Radiation Safety Officer trained and qualified per license Condition 10. A. will be designated at each of these new facilities.

In accordance with the current NRC fee schedule, a check in the amount of \$380.00 is included herewith. If you require any additional information or if I may be of assistance in clarifying these amendment requests, please do not hesitate to contact me.

Sincerely,

THE TERRACON COMPANIES, INC.


Gary K. Bradley

Corporate Safety and Health Manager/
Corporate Radiation Safety Officer

THE TERRACON COMPANIES, INC.

RADIATION SAFETY PLAN

Purpose

This radiation safety plan defines procedures for the safe handling and use of radioactive materials contained in portable moisture/density and asphalt content gauges. When handled and stored in accordance with this plan, the sealed sources contained in the gauges pose no hazard to Terracon employees, clients or the general public.

Radiation Safety Officer (RSO)

All use and possession of nuclear source gauges is under the direction and supervision of the Terracon Corporate Radiation Safety Officer and the local Deputy Radiation Safety Officer. The Corporate RSO is responsible for all aspects of this radiation safety plan and has the following specific duties:

1. To maintain and ensure compliance with all State and Federal NRC licenses issued to Terracon.
2. To issue notices for timely leak testing of all nuclear gauges.
3. To ensure that nuclear source operators are trained and enrolled in Terracon Corporate radiation monitoring program.
4. To maintain records as required by the terms and conditions of State and Federal NRC licenses.
5. To establish policies requiring nuclear gauge security.
6. To assist in the event of an emergency such as field equipment damage, theft or fire and to notify the appropriate licensing authority.
7. To ensure that operators read, understand and adhere to this radiation safety plan.
8. To distribute mandatory signs and postings to all offices.
9. To communicate regulatory requirements and pertinent information to Deputy Radiation Safety Officers.

Deputy Radiation Safety Officer Responsibilities

1. To ensure that nuclear source gauges are used only by trained and authorized users wearing appropriate radiation monitoring devices.
2. To ensure that radiation monitoring devices and monthly reports are properly distributed.
3. To ensure timely leak testing of all nuclear source gauges.
4. To maintain local office records as required by State and Federal NRC licenses.
5. To ensure that all mandatory information and postings are prominently displayed.
6. To forward leak test, training certificates and other mandatory records to the Corporate RSO.
7. To notify Corporate RSO in event of nuclear source gauge theft, loss or damage.
8. To ensure that all nuclear source gauges are secured against theft or unauthorized removal.

Operator Responsibilities

1. The authorized operator will exercise suitable control over nuclear gauges at all times. At no time will gauge be left unattended or in the possession of unauthorized personnel.
2. Each authorized operator will sign gauges out each time they are removed from their permanent storage location (see sign out/sign in sheet, Appendix 1.). Sign in/sign out sheets shall remain on Terracon premises.
3. Gauges will be signed in and returned to the permanent storage location as soon as possible upon completion of field testing.
4. When not in use, gauge source rods will be returned to the locked "safe" position; each gauge will then be locked in the proper storage/transportation case.
5. The operator will not use any nuclear source gauge unless the individually assigned radiation monitoring device is worn. The monitoring device will be maintained in a radiation free, room temperature environment when not in use.
6. Each authorized user will use nuclear source gauges only for their intended purpose; efforts shall be made to ensure that radiation exposure remains "As Low As Reasonably Achievable" (ALARA).

Authorized User Responsibilities (Cont'd.)

7. Before removing gauge from Terracon premises, the operator shall ensure that the following documents are contained in the shipping case:
 - A. Copy of current license.
 - B. List of authorized operators.
 - C. Copy of this radiation safety plan.
 - D. Copy of manufacturer's instruction/user manual.
 - E. Copy of most current leak test certificate.
 - F. A properly completed DOT Shipping Paper.

Transportation

1. Nuclear source gauges will only be transported in DOT approved shipping containers.
2. During transportation, all gauges will be fully secured in the vehicle and located as far from personnel as possible. Shipping cases will be locked and securely fastened and locked to the vehicle ("double locked") at all times gauges are not actually in use.
3. DOT regulations require that a properly completed DOT Shipping Paper be **within reach** of the driver at all times during transportation.

Leak Testing/Maintenance

1. No Terracon employee will perform maintenance activities which involve removal of sealed radiation sources from the gauge.
2. Leak tests will be performed on all sealed source nuclear gauges at intervals specified in the applicable State or federal NRC license.
3. The shipping container will be periodically inspected for integrity. Inspector will ensure that all labels and markings are properly affixed and legible. Damaged or illegible labels will be replaced.

Training

1. All operators will complete a manufacturer's operator safety/training course. No Terracon employee may possess or operate a sealed source nuclear gauge until trained **da** authorized by the Corporate RSO.
2. Deputy RSO's will keep Corporate RSO apprised of personnel changes.

Records Maintenance

The Corporate RSO will maintain all records required by State and federal NRC license requirements. In addition, each local Deputy RSO will maintain records for the operators at his/her location. Records will consist of:

- Personnel radiation exposure reports
- Leak tests
- Training certificates
- Sealed-source nuclear gauge inventory

The Deputy RSO will post or distribute all monthly radiation dosimetry reports. No affected Terracon employee shall be denied the right to view and copy radiation dosimetry reports.

Disposal

Disposal of all sealed source nuclear gauges will be the responsibility of the Corporate RSO. Disposal will be performed by transferring to a properly licensed organization or disposal facility.

Emergency Procedures

1. Theft or Loss -- Immediately notify Deputy and Corporate RSO.
2. Failed Leak Test -- If leak test result from any nuclear gauge reveals removable contamination exceeding 0.005 microcuries, immediately notify the Corporate Radiation Safety Officer. The gauge will be immediately removed from service and locked in its DOT approved shipping container. Shipping container and contents will be locked in the designated storage area. The Corporate RSO will contact the manufacturer of the leaking gauges and will notify affected office on additional steps to take after manufacturer consultation.
3. Other Emergency--(See Terracon Nuclear Materials Emergency Action Plan attached.)

THE TERRACON COMPANIES, INC.

NUCLEAR MATERIALS EMERGENCY ACTION PLAN

THIS EMERGENCY ACTION PLAN APPLIES TO THE FOLLOWING MATERIAL:

NUCLEAR DENSITY/MOISTURE GAUGES AND ASPHALT CONTENT GAUGES

RADIOACTIVE MATERIAL, SPECIAL FORM, N.O.S., UN2974

HEALTH HAZARDS

External radiation from unshielded radioactive material.

Internal radiation from inhalation, ingestion or skin absorption of unshielded material.

Runoff from fire control or dilution water may contaminate land/waterways.

EMERGENCY ACTION IN THE EVENT OF DAMAGE TO NUCLEAR GAUGES

1. Immediately isolate the area and deny unauthorized personnel entry.
2. Keep unauthorized personnel at least 150 feet upwind of damaged gauge.
3. In Idaho, Missouri, Oklahoma, Wyoming or other NRC jurisdiction, contact the U.S. Nuclear Regulatory Commission 24-hour emergency assistance number: (301) 951-0550.
4. Notify local office (Deputy) Radiation Safety Officer and Corporate Radiation Safety Officer at (913) 599-6886 or (913) 649-5234.
5. Delay cleanup efforts until arrival or instruction of local radiation authority.
6. Attempt to detain equipment and uninjured persons until arrival of local radiation authority.

FIRE

1. Do not move damaged containers; move undamaged containers out of fire zone.
2. Immediately notify fire department, local radiation authority and the Corporate Radiation Safety Officer.

DEPUTY RADIATION SAFETY OFFICERS:

BOISE	--	HARLAN GELLHAUS	OKLA. CITY	--	DAN ISRAEL
CHEYENNE	--	DOUG JOBE	TULSA	--	DENNIS JOHNSON
KANSAS CITY	--	JIM BYRNES			

Terracon

BILL OF LADING
U.S. DEPARTMENT OF TRANSPORTATION
HAZARDOUS MATERIALS SHIPPING PAPER

From: Terracon Consultants, Inc.

To: Terracon Consultants, Inc.

EXAMPLE

R.Q., RADIOACTIVE MATERIAL, SPECIAL FORM, N.O.S., UN2974
10 mCi Cs-137
50 mCi Am-241:Be
Yellow II
Transport Index _____

USA DOT 7A, Type A Package

24-Hour Emergency Contact: Corporate Radiation Safety Officer (913) 599-6886 or
(913) 649-5234

This is to certify that the above named materials are properly classified, described, packaged and marked and are in proper condition for transportation according to the applicable regulations of the Department of Transportation.

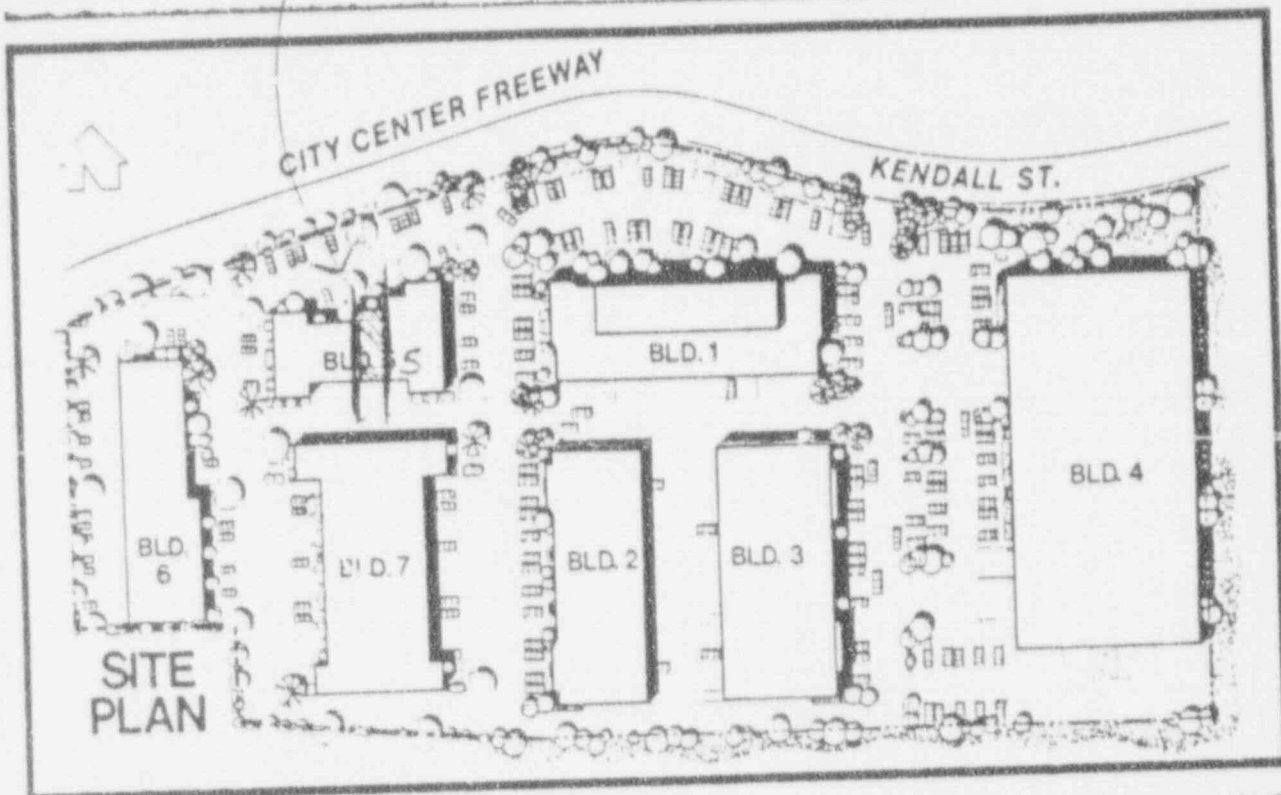

Gary K. Bradley

Corporate Safety and Health Manager/
Corporate Radiation Safety Officer
September 10, 1992

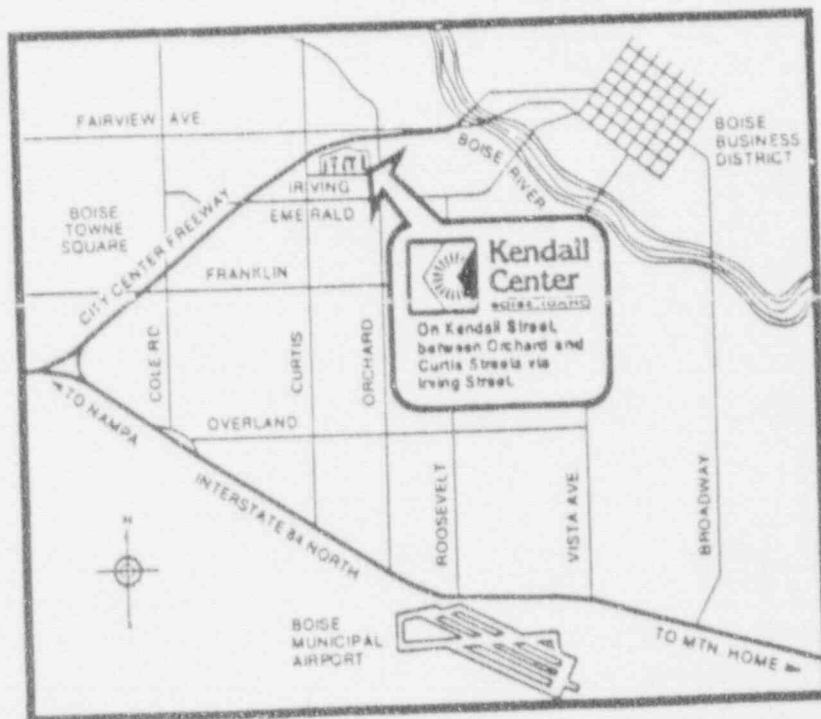
Terracon

LEASE SPACE

Terracon
5491 Kendall
Boise Idaho 83706

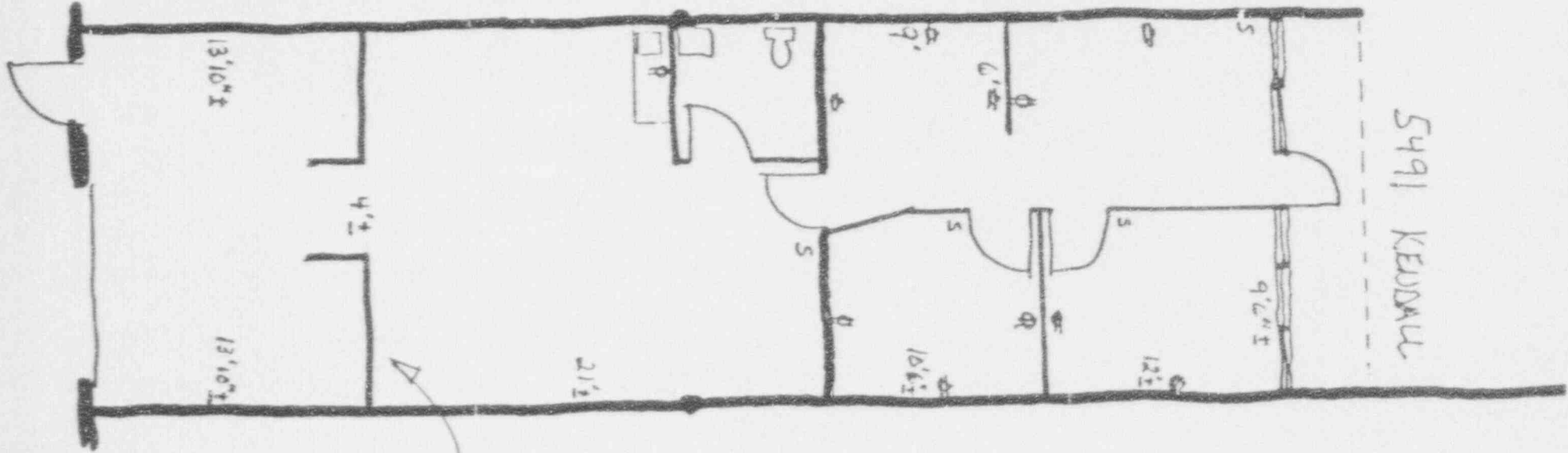


**Kendall
Center**
BOISE, IDAHO



A Centrally Located
Office/Warehouse Park

Lessor shall complete the space in a professional manner as shown on the attached Exhibit. The office space shall have new carpeting; the space shall be painted throughout except for the warehouse floor; all stained and discolored ceiling tiles will be replaced; all electrical and light fixtures shall function at the time tenant takes occupancy. Lessor shall install a (14" x 18" approx. dimension) sink and a 5' lower cabinet in the warehouse area, as shown. Lessor shall also install a small water heater to service the restroom and sink.



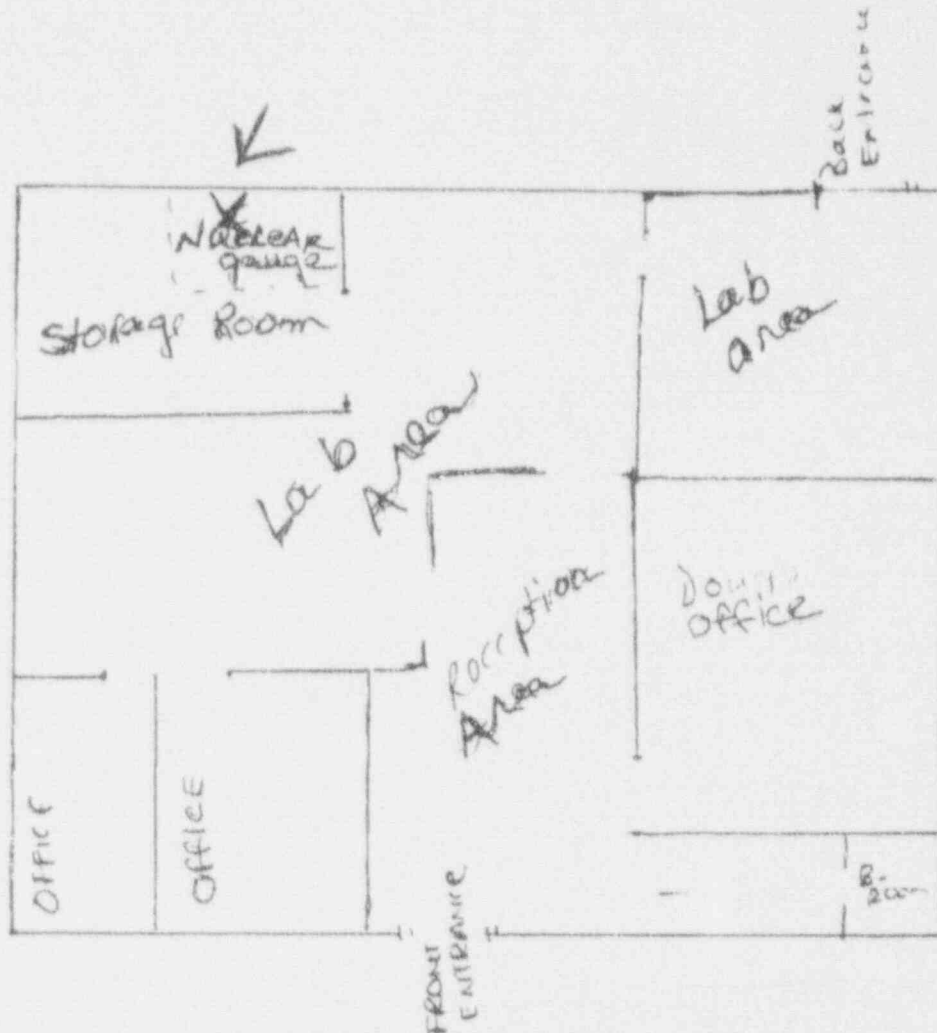
NORTH
↑

Nuclear Test
Machine Storage

The Terracotta Company Inc.
5491 Kendall
Boise, Idaho 83706

EXHIBIT B

EMPLOYEE OFFICE



SEP 2 1992

The Terracon Companies, Inc.
- doing business as -
Empire Laboratories, Inc.
3151 Nationway, Suite K-11
P.O. Box 5659
Cheyenne, Wyoming 82001

Terracon



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV

611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

SEP - 9 1992

MEMORANDUM FOR: Billie Gruszynski
Licensing Assistant

FROM: William L. Brown
Regional Counsel

SUBJECT: THE TERRACON COMPANIES, INC. LICENSE REQUEST

Pursuant to your request, I have reviewed the request by the Terracon Companies, Inc. that the Empire Laboratories, Inc. License (49 15555-01) be terminated and Terracon's license (15-27070-01) be amended to cover material and activities previously covered by Empire's license.

Terracon's request emanates from the fact that Terracon has acquired Empire as a wholly owned subsidiary. Empire's corporate identity is being maintained only for "regional goodwill" purposes according to Terracon. This usually means for name identity purposes. Furthermore, Terracon states that the finances and operations of the two companies have been merged, with Terracon being the actual business operator; Empire will not even file a tax return separate from Terracon's because of the merged activities into Terracon's operations. Your office has been assured in writing that Terracon will be the ultimately responsible corporate entity for all licensed activities conducted under Empire's license. This latter point was clarified with Gary Bradley, Terracon's RSO, since his August 17, 1992, letter was somewhat ambiguous on the point.

In such situations, where a corporate identity has been maintained by a purchaser for name identification purposes only, we have not objected to the license being in the name of the parent company who had actual day-to-day accountability and responsibility for performing licensed activities. Therefore, if the requirements of 10 CFR 30.36 have been met and you know of no other reason to object, I would have no legal objection to termination of Empire's license while at the same time amending Terracon's license to provide for the material and activities previously authorized under Empire's license. Indeed, to prevent any future misunderstanding, the license might even reflect the fact that, with regards to the new material and activities, Terracon is doing business as (dba) Empire for the purpose of name identification only. Your review package is being returned to you under separate cover. Please let me know if I can be of any further assistance.

William L. Brown
Regional Counsel

cc:
W. Fisher
J. Whitten

464309

Terracon

THE TERRACON COMPANIES, INC.

1550 College Boulevard
Lawrence, Kansas 66044
(913) 833-4980

August 17, 1992

Log *Aug 3 1992*
 Received *Terracon*
 Check # *300037 + 300043*
 Amount *1380 + 130*
 Fee *3 P*
 Type *AND*
 Date *9/2/92*
 Date *10/7/92*
 By *J. H. H. H.*

AUG 20 1992

U.S. Nuclear Regulatory Commission
Region IV
611 Ryan Plaza Drive, Suite 1000
Arlington, Texas 76011
Attention: Jack E. Whitten

Dear Mr. Whitten,

As explained in the Empire Laboratories, Inc. letter of August 13, 1992, The Terracon Companies, Inc. (Terracon) has acquired Empire Laboratories, Inc. Empire Laboratories, Inc. is now a wholly owned subsidiary of Terracon and will not file federal tax returns separate from The Terracon Companies, Inc. However, for purposes of regional goodwill Terracon will retain the corporate identity "Empire Laboratories, Inc." at all currently existing Empire geotechnical engineering offices. Despite the retention of the name Empire Laboratories, Inc., The Terracon Companies, Inc. (Tax Identification Number 42-1249910) is hereinafter the ultimately responsible corporate entity for all licensed activities conducted by Empire Laboratories, Inc.

Both Terracon and Empire Laboratories, Inc. possess valid NRC nuclear materials licenses. As the finances and operations of the two companies are now formally merged, we propose to terminate the Empire Laboratories, Inc. license (49-15555-01) and amend The Terracon Companies, Inc. license (15-27070-01) to incorporate additional licensed material and the one additional permanent storage location currently included on the Empire Laboratories, Inc. NRC license. The Terracon Companies, Inc. believes that maintenance of a single license under one Radiation Safety Plan and one Corporate Radiation Safety Officer will streamline operations and best ensure compliance with NRC regulations. Also, with the recent increases in NRC licensing, renewal and inspection fees, maintaining duplicate licenses will pose a significant and seemingly unnecessary economic burden on corporate operations.

As indicated, only one existing Empire Laboratories, Inc. facility is located within NRC jurisdiction. Terracon therefore proposes to add this facility to The Terracon Companies, Inc. NRC license as a permanent licensed material storage location in the following manner: The Terracon Companies, Inc. -doing business as-Empire Laboratories, Inc. 3151 Nationway, Suite K-11, Cheyenne, Wyoming. We will also request amendments authorizing Terracon to possess the additional licensed materials appearing on the current Empire Laboratories, Inc. NRC license. Terracon will re-submit our Radiation Safety Plan, Emergency Action Plan and will rename the undersigned as Corporate Radiation Safety Officer for NRC licensed activities. A qualified individual at the Cheyenne, Wyoming facility will be named Deputy Radiation Safety Officer and will co-ordinate day to day compliance with license conditions. Once the amended license is received, Mr. Chester Smith, P.E., former President of Empire Laboratories, Inc. will formally transfer all licensed materials to The Terracon Companies, Inc. and request termination of the Empire Laboratories, Inc. NRC license. Similar arrangements have been discussed with and verbally approved by officials in the agreement state of Colorado where all other Empire Laboratories, Inc. facilities are located.

Offices of The Terracon Companies, Inc.

Arizona: Tucson ■ Colorado: Colorado Springs, Denver, Ft. Collins, Greeley, Longmont ■ Idaho: Boise
 Illinois: Bloomington, Chicago, Rock Island ■ Iowa: Cedar Falls, Cedar Rapids, Davenport, Des Moines, Storm Lake
 Kansas: Lenexa, Topeka, Wichita ■ Minnesota: St. Paul ■ Missouri: Kansas City ■ Nebraska: Lincoln, Omaha
 Oklahoma: Oklahoma City, Tulsa ■ Texas: Dallas ■ Utah: Salt Lake City ■ Wyoming: Cheyenne

QUALITY ENGINEERING SINCE 1965

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464309

Nuclear Regulatory Commission
August 17, 1992
Page 2

Please review the proposed plan to amend The Terracon Companies, Inc. NRC license and terminate the existing Empire Laboratories, Inc. NRC license. As the annual license fee for the Empire Laboratories, Inc. NRC license is due in the immediate future, I have sent these letters via express mail. I will attempt to contact you on Thursday August 20 to determine your opinion of this proposed amendment. As we propose to terminate the Empire Laboratories, Inc. NRC license in the immediate future, we prefer not to remit the \$2250 annual license fee for fiscal year 1993. As the timing is critical, your immediate review of this request will be greatly appreciated.

Sincerely,

THE TERRACON COMPANIES, INC.



Gary K. Bradley

Corporate Safety and Health Manager/
Corporate Radiation Safety Officer

CC: Chester C. Smith, P.E.

~~464359~~

464399

Empire Laboratories, Inc.

GEOTECHNICAL ENGINEERING & MATERIALS TESTING

August 13, 1992

CORPORATE OFFICE
P.O. Box 503 • 301 No. Howe
Fort Collins, Colorado 80522
(303) 484-0359
FAX No. (303) 484-0454

U. S. Nuclear Regulatory Commission
Region IV
611 Ryan Plaza Drive, Suite 1000
Arlington, Texas 76011

Attention: Mr. Jack E. Whitten

Gentlemen:

Empire Laboratories, Inc. has been acquired by The Terracon Companies, Inc. Under the new business arrangement, Empire Laboratories, Inc. will retain its corporate identity but will operate as a wholly owned subsidiary of The Terracon Companies, Inc. (Taxpayer ID #42-1249910). The change in ownership will affect licensed activities in the NRC state of Wyoming, where a geotechnical engineering office will continue to operate as Empire Laboratories, Inc. Except for the change in corporate ownership, no changes in use or storage of licensed materials are proposed.

Both The Terracon Companies, Inc. and Empire Laboratories, Inc. currently possess valid NRC licenses issued by Region IV (License Numbers 15-27070-01 and 49-15555-01, respectively). In order to streamline operations and reduce the financial impact of maintaining dual licenses, Empire Laboratories, Inc. proposes the formal transfer of licensed materials to The Terracon Companies, Inc. and the cancellation of the existing Empire NRC license. It is proposed that The Terracon Companies, Inc. then amend Condition 10 of their NRC license to include the Cheyenne, Wyoming facility as a licensed materials storage location, the proposed amendment to read: The Terracon Companies, Inc.--doing business as--Empire Laboratories, Inc., 3151 Nationway, Suite K-11, Cheyenne, Wyoming.

Licensed activities at the Empire Laboratories, Inc. location in Cheyenne, Wyoming will thereafter be conducted in accordance with the statements, representations and procedures as established by The Terracon Companies, Inc. NRC license. Mr. Gary K. Bradley will serve as Corporate Radiation Safety Officer and a qualified individual at the Cheyenne, Wyoming facility will be named as Local Radiation Safety Officer. All records required by NRC license conditions will be maintained at both the Cheyenne, Wyoming facility and the Corporate headquarters of The Terracon Companies, Inc.

I have been informed by Terracon Companies, Inc. personnel that the Terracon NRC license is due for renewal in the immediate future. Your

Branch Offices

P.O. Box 18859
Colorado Springs, CO 80935
(719) 597-2116

P.O. Box 1135
Longmont, CO 80502
(303) 776-3921

P.O. Box 1744
Greeley, CO 80632
(303) 351-0460

P.O. Box 5659
Cheyenne, WY 82003
(307) 632-9224

Member of Consulting Engineers Council



464399

U. S. Nuclear Regulatory Commission
Page 2
August 13, 1992

timely response to this notification and proposal will allow the required changes to be made with license renewal and avoid the need for future amendments. If I may answer any questions or be of additional assistance, please do not hesitate to contact me.

Very truly yours,

EMPIRE LABORATORIES, INC.



Chester C. Smith, P.E.
Division Manager

clc

cc: Mr. Gary K. Bradley, Health and Safety Manager



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

SEP 30 1992

Terracon Consultants, Inc.
Attn: Gary K. Bradley
14700 W. 107th Street
Lenexa, KS 66215-2891

OCT 2 1992

Gentlemen:

This refers to your letter dated September 11, 1992, for amendment to Materials License 15-27070-01.

We received your check for \$380. Your request, however, is subject to an amendment fee of \$410 as specified in fee Category 3P of \$170.31, 10 CFR 170, which went into effect August 24, 1992. A copy of the July 23, 1992, Federal Register notice regarding the revisions to the Commission's license and annual fee regulations (10 CFR 170 and 10 CFR 171) is enclosed.

Please note that effective August 24, 1992, materials licensees are also subject to the annual fees specified in revised 10 CFR 171. Payment of the additional \$30 fee should be made to the U.S. Nuclear Regulatory Commission and mailed to the following address:

U.S. Nuclear Regulatory Commission
ATTN: Marnella Rodriguez
License Fee and Debt Collection Branch, OC/DAF
Mail Stop MNBB 4503
Washington, DC 20555

Your application will be processed by the Region IV Licensing staff located at 611 Ryan Plaza Drive, Suite 1000, Arlington, Texas 76011. The fee, however, is required prior to issuance of the amendment. When submitting the additional fee, please refer to CONTROL NUMBER 464399.

If we do not receive a reply from you within 30 calendar days from the date of this letter, we shall assume that you do not wish to pursue your application and will void this action.

Sincerely,

A handwritten signature in cursive script, reading "Marnella Rodriguez", is written over the typed name.

Marnella Rodriguez
License Fee and Debt Collection Branch
Division of Accounting and Finance
Office of the Controller

Enclosure:
July 23, 1992, Federal Register notice

cc: Region IV

September 30, 1992

Terracon

THE TERRACON COMPANIES, INC.
16000 College Boulevard
Lenexa, Kansas 66219
(913) 599-6666

U.S. Nuclear Regulatory Commission
Attn: Marnella Rodriguez
License Fee and Debt Collection Branch, OC/DAF
Mail Stop MNBB 4503
Washington, D.C. 20555

RE: Additional Amendment Fee Payment for
NRC License Number 15-2707-01
Control Number 464399

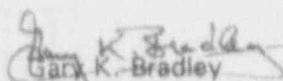
Dear Ms. Rodriguez,

Attached please find check in the amount of \$30.00. The \$30.00 is required to make up shortfall in previous payment of \$380.00 submitted with NRC license amendment request dated August 17, 1992. Per our recent telephone conversation, you indicated that the \$380.00 previously submitted had been credited against the \$410.00 cost of the amendment request.

License amendment fees should now be satisfied in accordance with the current fee schedule. Please route amendment request for processing at your earliest possible convenience.

Sincerely,

THE TERRACON COMPANIES, INC.


Gary K. Bradley

Corporate Safety and Health Manager/
Corporate Radiation Safety Officer

U.S. N.R.C.
FEE MGMT. SHAW

91-OCT-6 AM 1:26

RECEIVED

Offices of The Terracon Companies, Inc.

Arizona: Tucson	Colorado: Colorado Springs, Denver, Ft. Collins, Greeley, Longmont	Idaho: Boise
Illinois: Bloomington, Chicago, Rock Island	Iowa: Cedar Falls, Cedar Rapids, Davenport, Des Moines, Storm Lake	
Kansas: Lenexa, Topeka, Wichita	Minnesota: St. Paul	Missouri: Kansas City
Oklahoma: Oklahoma City, Tulsa	Texas: Dallas	Utah: Salt Lake City
		Wyoming: Cheyenne

QUALITY ENGINEERING SINCE 1965

(FOR LFMS USE)
INFORMATION FROM LTS

BETWEEN:

LICENSE FEE MANAGEMENT BRANCH, ARM
AND
REGIONAL LICENSING SECTIONS

PROGRAM CODE: 03121
STATUS CODE: 0
FEE CATEGORY: 3P
EXP. DATE: 19921031
FEE COMMENTS:
DECOM FIN ASSUR REQD: N

LICENSE FEE TRANSMITTAL

A. REGION

1. APPLICATION ATTACHED
APPLICANT/LICENSEE: TERRACON COMPANIES, INC.
RECEIVED DATE: 920916
DOCKET NO: 3032176
CONTROL NO.: 464399
LICENSE NO.: 15-27070-01
ACTION TYPE: AMENDMENT

OCT 9 1992

2. FEE ATTACHED
AMOUNT: 4
CHECK NO.: 4

3. COMMENTS

SIGNED
DATE

Bellie Myszyrski
9/16/92

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

1. FEE CATEGORY AND AMOUNT: 3P \$380 + \$30
2. CORRECT FEE PAID. APPLICATION MAY BE PROCESSED FOR:
AMENDMENT
RENEWAL
LICENSE
3. OTHER

SIGNED
DATE

J. Holmgren
10/7/92