

## 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, 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		
1. Romano Paving & Excavating, Inc.		3. License Number 37-30330-01
2. 1103 East Poland Avenue Bessemer, Pennsylvania 16112		4. Expiration Date August 31, 2001
		5. Docket or Reference No. 030-34212
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	A. 100 millicuries
B. Americium 241	B. Sealed neutron sources	B. 500 millicuries
9. Authorized use		
A. and B. For possession and use in Troxler Electronic Laboratories, Inc., Campbell Pacific Nuclear Corp., Humboldt Scientific, Inc., Seaman Nuclear Corporation, or Soiltest, Incorporated devices which have been evaluated and approved for licensing purposes under a license issued by the U.S. Nuclear Regulatory Commission or any Agreement State.		

## CONDITIONS

10. Licensed material may be stored at the licensee's facilities located at 1103 East Poland Avenue, Bessemer, Pennsylvania and Harmon Road, Petersburg, Ohio and may be used only 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. The licensee may not possess and use materials authorized in Items 6, 7, and 8, until: (1) the licensee has constructed the facilities and obtained the equipment described in the application and supporting documentation; and (2) the U.S. Nuclear Regulatory Commission, Region I, ATTN: Chief, Nuclear Materials Safety Branch, 475 Allendale Road, King of Prussia, Pennsylvania 19406 has been notified in writing that activities authorized by the license will be initiated.

In accordance with the requirements set forth in 10 CFR 30.36(b), 40.42(b), and 70.38(b), the licensee shall promptly notify the Nuclear Regulatory Commission, in writing, of a decision not to complete the facility, acquire equipment, or possess and use authorized material.

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**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**

License Number

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12. Licensed material shall only be used by, or under the supervision and in the physical presence of, Walter G. Romano, Jr., Michael A. Romano, James M. Vietmeier, Jr. 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 in writing by the Radiation Safety Officer.
13. The Radiation Safety Officer for this license is James M. Vietmeier.
14.
  - A. Sealed sources and detector cells containing licensed material shall be tested for leakage and/or contamination at intervals not to exceed six months or at such other intervals as are specified by the certificate of registration referred to in 10 CFR 32.210, not to exceed three years.
  - 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 three months.
  - C. In the absence of a certificate from a transferor indicating that a leak test has been made within six months prior to the transfer, a sealed source or detector cell received from another person shall not be put into use until tested.
  - D. Each sealed source fabricated by the licensee shall be inspected and tested for construction defects, leakage, and contamination prior to any use or transfer as a sealed source.
  - E. Sealed sources and detector cells 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 transfer 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.
  - F. 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, a report shall be filed with the U.S. Nuclear Regulatory Commission and the source or detector cell shall be removed immediately from service and decontaminated, repaired, or disposed of in accordance with Commission regulations. The report shall be filed within five days of the date the leak test result is known with the U.S. Nuclear Regulatory Commission, Region I, ATTN: Chief, Nuclear Materials Safety Branch, 475 Allendale Road, King of Prussia, Pennsylvania 19406. The

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report shall specify the source or detector cell involved, the test results, and corrective action taken.

- G. The licensee is authorized to collect leak test samples for analysis by Troxler Electronic Labs. 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.
15. Sealed sources or detector cells containing licensed material shall not be opened or sources removed from source holders by the licensee.
16. The licensee shall conduct a physical inventory every six months to account for all sealed sources and devices containing licensed material received and possessed under the license.
17. The licensee shall not acquire licensed material in a sealed source or device unless the source or device has been registered with the U.S. Nuclear Regulatory Commission pursuant to 10 CFR 32.210 or equivalent regulations of an Agreement State.
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. The licensee is authorized to transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
21. 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 July 19, 1996  
B. Letter dated August 12, 1996

For the U.S. Nuclear Regulatory Commission

Original Signed By:  
John R. McGrath

By

Division of Nuclear Materials Safety  
Region I  
King of Prussia, Pennsylvania 19406Date AUG 27 1996

AUG 27 1996

License No. 37-30330-01  
Docket No. 030-34212  
Control No. 123510

Walter G. Romano, Jr.  
Vice President  
Romano Paving & Excavating, Inc.  
1103 E. Poland Avenue  
Bessemer, PA 16112

Dear Mr. Romano:

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 I Office, Licensing Assistance Team, (610) 337-5093 or 5239, 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. Until your license is 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. Not possess and use materials authorized in Items 6, 7, and 8, on the license until:
  - a. you have constructed the facilities and obtained the equipment described in the license application and supporting documentation; and
  - b. you have notified the U.S. Nuclear Regulatory Commission, Region I, ATTN: Chief, Nuclear Materials Safety Branch, 475 Allendale Road, King of Prussia, Pennsylvania 19406 in writing, that activities authorized by the license will be initiated.
3. 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

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- b. when the mailing address on the license changes (no fee is required if the location of byproduct material remains the same).
4. In accordance with 10 CFR 30.36(b) and/or license condition, notify NRC, promptly, in writing, and request termination of the license:
  - a. when you decide to terminate all activities involving materials authorized under the license; or
  - b. if you decide not to complete the facility, acquire equipment, or possess and use authorized material.
5. Request and obtain a license amendment before you:
  - a. change Radiation Safety Officer;
  - 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.
6. 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 a certifying official of the licensee rather than the Radiation Safety Officer or a consultant.

You will be periodically inspected by the 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 Statement of Policy and Procedure for NRC Enforcement Actions," (Enforcement Policy), NUREG 1600.

Walter G. Romano, Jr.  
Romano Paving & Excavating, Inc.

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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.

Thank you for your cooperation.

Sincerely,

Original Signed By:  
John R. McGrath

John R. McGrath  
Senior Health Physicist  
Division of Nuclear Materials Safety

License No. 37-30330-01  
Docket No. 030-34212  
Control No. 123510

Enclosures:

1. License No. 37-30330-01
2. 10 CFR Parts 2, 19, 20, 30 and 170
3. NRC Forms 3 and 313

DOCUMENT NAME:

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/ attach/encl "N" = No copy

OFFICE	DNMS/RI	N	DNMS/RI				
NAME	McGrath						
DATE	08/21/96	08/	/96	08/	/96	08/	/96

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Paving & Excavating Inc.  
1103 E Poland Avenue  
Bessemer, PA 16112  
Phone: (412) 667-7546 Office  
654-2999 Plant  
667-1120 FAX

MS 16  
Q-7

August 12, 1996

Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA 19406-1415  
ATTN: Mr. John R. McGrath

RE: Control no. 123510

Dear Mr. McGrath:

Recently James M. Vietmeier, Jr. Quality Control Technician for our Petersburg, Ohio Asphalt plant and Assistant Q.C. Control for our West Pittsburgh, PA plant submitted a application for licenser to obtain 3 different nuclear source gauges for our operations in the asphalt industry. One being a asphalt content nuclear gauge model # 3241-C and the other two, Models # 4640-B and 3440 to use on job sites to measure density of compacted materials.

We being the management at Romano Paving & Excavating, Inc. reviewed said application and concurred with Mr. Vietmeier concerning this matter. All relative materials sent out with this application have our approval. Future correspondence between Romano Paving & Excavating, Inc. and the N.R.C.. will be signed by management also. Mr. Vietmeier has our authority to suspend any and all operations that are deemed unsafe and we believe that he has the sufficient time and ability to perform all radiation safety duties and responsibility that are required by your agency.

Respectfully,

Walter G. Romano, Jr.  
Vice President  
Plant Supervisor

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123510  
AUG 19 1996



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

AUG - 1 1996

License No. New  
Docket No. 030-34212  
Control No. 123510

James M. Vietmeier, Jr.  
Romano Paving & Excavating, Inc.  
1103 E. Poland Avenue  
Bessemer, PA 16112

Dear Mr. Vietmeier:

This is in reference to your application dated July 19, 1996 for an NRC license authorizing Troxler moisture density gauges. In order to continue our review, we need the following additional information:

1. ✓ Your application should have been signed by a management representative rather than Mr. Vietmeier. Please submit a letter signed by a management representative indicating that management has reviewed the application and concurs in the statements and representations contained therein. Note also that a management representative should sign all future correspondence which request change in your license. *See Attached Letter*
2. ✓ In Item 3. of your application, you indicate that the gauge will be used at 1103 East Poland Avenue. Confirm that you wish to use the gauge at temporary job sites. *\*See Item 9 Section A, Also 9-D. and 9-E*
3. ✓ Provide a commitment to not exceed the activity limits specified in 10 CFR 30.35(d) or, alternatively, specify the maximum number of identical source/device combinations that will be possessed at any one time. *See Item 5 Section C and Item 10 Section I.*
4. ✓ Indicate if you will be using sources at depths greater than 3 feet. If so, provide procedures to minimize "stuck" sources (e.g., use of casing) and procedures to recover "stuck" source. Also, confirm that you will notify the NRC in the event of a "stuck" source. *See Sec 9-F-4*
5. ✓ Provide a management commitment that the Radiation Safety Officer is authorized to stop unsafe operations and has sufficient time to perform radiation safety duties and responsibilities. Please provide an organizational chart showing the RSO position. *See Attached Letter, organizational chart.*
6. ✓ With regard to your training program, provide a commitment that each user be designated in writing by RSO. *See Section #8*
7. ✓ Provide a description of your Petersburg, Ohio facility, including a drawing similar to the one submitted for your Bessemer facility. *\*One is Attached*



James M. Vietmeier, Jr.  
Romano Paving & Excavating, Inc.

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8. Please provide the following information regarding the leak testing of your sealed sources:

*PLEASE See Item 10 Section C*

- a. A description of the procedure for leak testing the source.
- b. The instrumentation used to measure activity on the wipe and the lower limit of detectability for this instrumentation.

If you elect to have another person perform the leak test, please submit the name of the person and the applicable NRC or Agreement State license number. If this person is not licensed, please submit a description of their procedure and instrumentation as requested above.

9. Confirm that you will perform physical inventories of all sealed sources at intervals not to exceed six months and that records of such inventories will be kept for three years.

*See Item 10 section d.*

10. With regard to your annual audits, provide confirmation that management will promptly review the documented results of the audit, that prompt action will be taken to correct deficiencies and that personnel will be informed of deficiencies and corrective steps. *See Item 10 section H on Page 6.*

We will continue our review upon receipt of this information. Please reply in duplicate to my attention at the Region I Office and refer to Mail Control No. 123510. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5069.

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.

Sincerely,

*John R. McGrath*

John R. McGrath  
Senior Health Physicist  
Division of Nuclear Materials Safety

License No. New  
Docket No. 030-34212  
Control No. 123510

## 5. Radioactive Materials

### A. Element & Mass No.

1. CS-137
2. AM-241:Be
3. AM-241:Be

### B. Chemical & or Physical Form:

1. CS-137
  - a. Sealed Source incorporated into Troxler Model # 4640-B thin layer density gauge. Sealed Source No. Troxler A-102112.
2. AM-241:Be
  - a. Sealed Source incorporated into Troxler Model 3440 Moisture density gauge model No. 3440 Sealed Source No. Troxler A-102451
3. AM-241:Be
  - a. Sealed Source incorporated into Troxler Model No. 3241-C asphalt content gauge.
    - a. Sealed Source No. Troxler A-100608

### C. Maximum amount that may be possessed at one time under this licensee:

- |              |               |                          |
|--------------|---------------|--------------------------|
| 1. CS-137    | not to exceed | 9mCi - Model No. 4640B   |
| 2. AM-241:Be | not to exceed | 44mCi - Model No. 3440   |
| 3. AM-241:Be | not to exceed | 110mCi - Model No. 3241C |

## 6. Purpose for which licensed material will be used.

A. Model No. 4640-B to measure the density of soils, aggregates and construction materials.

B. Model No. 3440 to measure hydrogen with relation to moisture content of construction materials.

C. Model No. 3241-C measurement of hydrogen with relation to oil content in asphalt construction materials. This unit will be stored permanently at our Petersburg, Ohio facility. THIS GAUGE DOES NOT NEED TO BE TRANSPORTED. Instead the paving materials are broke to the storage facility at our Petersburg, Ohio lab. Please see additional copy of our Petersburg, Ohio facility that I am resubmitting to you with this revised submittal. This job trailer is a permanent structure and has been for over 20 years and will remain a permanent structure at our plant site at Petersburg, Ohio.

**7. Individuals responsible for radiation safety program and their training experience:**

- A. Radiation safety officer: James Michael Vietmeier, Jr., previous radiation safety officer for Gennaro Pavers in Hillsville, PA. Also, see attached certification No. 38184 from Troxler electronic laboratories, and High School Diploma.
- B. The R.S.O.'s duties and responsibilities will be those listed in appendix C of the regulatory draft guide DG-0008. See Attached Appendix C:

**8. Initial training in gauge manufactures course:**

It is my commitment that all individuals that will operating the gauges stated in this license application meet the qualifications of draft regulatory guide DG-0008 Part I of appendix D. these individuals are named as follows:

Walter G. Romano, Jr.	Certification No. 051327
Michael A. Romano	Certification No. 051325
James M. Vietmeier, Jr.	Certification No. 38184

NOTE: Copies of all above certs. are attached.

Refresher training will be provided by the R.S.O. or an instructor who has the necessary qualifications that are described in Part II of Appendix D of the Regulatory guide DG-0008; to all users at, intervals not to exceed one year. After training each user will be redesignated in writing and records stating such will be maintained on all individuals and pertinent data related to their gauge usage for 3 years after their employment termination.

**9. Facilities and Equipment:** (See attached diagrams)

- A. Model No. 4640 and also No. 3440 will be stored in our existing office/shop complex at 1103 E. Poland Ave., Bessemer, Pennsylvania and used when required at temporary job sites, then will be returned to the storage address nightly.
- B. Model No. 3241-C will be stored - and used at our lab facilities located in Petersburg, Ohio permanently. See item number 6 section C part 1.
- C. During transport of the Nuclear density gauges they will be locked in there transport gauge case and either chained/ locked into the back of a truck or locked in the trunk cargo area of transport vehicle.

- D. When gauges are not in use while on the temporary job site they will be secured from damage or theft by returning them to the secured transport vehicle in their locked case or they will be under constant physical surveillance.
- E. There will be no alternate storage of any of our gauges. They will be returned to each respective permanent facility after each work day is complete.

#### **10. Personnel Monitoring Program**

- A. All gauge users will be monitored with T.L.D. Badges when operating gauges.
  - 1. Supplier: Troxler Radiation Monitoring Services  
PO BOX 12057, Research Triangle Park, N.C. 27709
  - 2. Type: Thermoluminescent Dosimeter (TLD) Beta, Gamma, X-Ray, and Neutron measurement.
  - 3. Exchange frequency: Quarterly
- B. At each job site there will be one Troxalert Survey instrument capable of measuring between 0-100 mrem/hr. This meter will be calibrated annually by the manufacturer.
- C. Leak test will be performed at intervals not to exceed 6 months and the results will be kept on file for review. A Troxler Leak Test Kit 3880 will be used and the suppliers instructions will be followed when collecting the sample, the RSO will collect the sample and sent it to the following address to be analyzed by Troxler Radiation Monitoring Services, Division of Troxler Electronic Labs, Inc., PO Box 12057, Research Triangle Park, NC 27709. Troxler Electronic Lab., Inc. Leak Test Service is licensed according to NC Radioactive Materials License Number 032-0182-1.
  - 1. Physical inventories will be performed on all sealed sources not to exceed 6 months and records will be maintained on these inventories for 3 years.
- D. Maintenance
  - 1. All maintenance will be performed with the radioactive source in the safe shielded position in accordance with the manufacturer's directions included in the operator manual. (e.g. cleaning and lubrication)
  - 2. Extensive maintenance where source rod removal is necessary will be performed by the gauge manufacturer.



#### E. Transportation of Devices to Field Location

1. Romano Paving will maintain current DOT(49CFR) regulations and will develop and implement procedures for complying with applicable DOT regulations.
2. Current applicable regulations will be ordered and /or updated from the Government printing office order desk at (202)512-1800.

#### F. Operating and Emergency Procedures

1. Romano Paving will implement the operating and emergency procedures as stated in this correspondence.
2. A copy of these procedures will be distributed to gauge users before initial use of equipment.
3. A copy of these procedures will be on file at each job site stored separate from the gauge.
4. Romano Paving will not use any of the above named sources at depths 3 feet or greater.

#### Standard Operating and Emergency Procedures

##### 1. Operating Procedures

- a. Before removing the gauge from its place of storage, check to make sure that the gauge source rod is in the shielded, locked position, and lock the transport case.
- b. Sign the gauge out in a log book, stating that dates of use, names of the authorized users who will be responsible for the gauge, and the temporary job sites where the gauge will be used.
- c. Equipment outside the transport vehicle or storage site should never be left unattended.
- d. Follow all applicable DOT requirements when transporting the gauge.
- e. Do not touch the end of the source rod below the base of the gauge with your fingers, hands, or any part of your body, and always make sure the source is in the shielded position after each measurement is made.
- f. Always wear your assigned thermoluminescent dosimeter (TLD) or film badge when using the gauge.
- g. Never wear another person's TLD or film badge.

- h. Never store your TLD or film badge near the gauge.
- i. Always keep unauthorized persons away from the area where the gauge is to be used.
- j. Always maintain constant surveillance and immediate control of the gauge when it is not in storage or secured i in the transport vehicle.
- k. Ensure gauge and operator are visible to heavy equipment operators.
- l. Never look under the gauge when the source rod is being lowered into the ground.
- m. When the gauge is not in use at a temporary job site, place the gauge in a secured storage location (e.g., locked in the trunk of a car or locked in a storage shed).
- n. Return the gauge to a proper storage location at the end of the work shift.
- o. When returning the gauge to the permanent storage facility, so indicate in the source log.
- p. Pregnant equipment operators may declare their pregnancy to the RSO in writing.

#### G. Emergency Procedures

If a source in one of our gauges fails to return to the shielded positions a result of damage or any other unusual situation we will do the following:

1. Secure the area around the gauge, or the source should it be detached of an area not less than 15 feet in diameter.
2. Prevent any unauthorized personnel from entering the secured area.
3. Detain any vehicle that may have been involved with the accident to determine whether contamination is present.
4. Notify licensee management of the situation, calling company personnel in the order listed below:

NAME	Work Number	Home Number
James M. Vietmeier	(330)542-2260	(330)536-6182
Walter G. Romano, Jr.	(330)542-2260	(412)667-8351
Michael A. Romano	(412)667-7546	(412)535-2087

5. Arrange for a survey to be conducted as soon as possible by a licensed employee using a survey meter.
  6. Notify local authorities and the NRC make any required reports that are listed under 10 CFR 20.2201-2201-2203 and 10CFR 30.50.
- H. Annual Audits will be conducted by James M. Vietmeier that will meet the minimum requirements in Appendix I of NRC Draft regulatory Guide DG-0008. These audits will be conducted at intervals not to exceed 12 months, and the records of each will be maintained for 3 years. After each annual audit management will review all documented results and prompt action will be taken to correct any and all deficiencies that are found. All personnel will be informed of all deficiencies and corrective action to be taken.
- I. We will confine our possession of licensed material to quantities that will not exceed the applicable limits in 10 CFR 30.35(d).
- J. Records will be maintained detailing any instances related to leaking sources, spills or contamination important to decommissioning. These records will be kept on file at 1103 East Poland Ave., Bessemer, PA 16112.
11. Disposal of any radioactive material will be with a person who is licensed to receive and possess it.

CORPORATE OFFICE  
1103 E. POLAND AVE.  
BESSEMER, PA 16112  
LAWRENCE COUNTY

PLANT #1 PA  
UNIVERSAL RINDLE DR.  
NEW CASTLE, PA

PLANT #2 OH  
PETERSBURG, OHIO

LAB  
TECH: James  
Vietmeier  
RSO: " "

OPERATION  
Supervisor  
Walter G.  
Romano

OPERATIONS  
Supervisor  
Walter Romano  
Gene Winger

LAB  
Tech: Gene Winger  
Asst. Tech: RSO:  
James Vietmeier



AUG - 1 1996

License No. New  
Docket No. 030-34212  
Control No. 123510

James M. Vietmeier, Jr.  
Romano Paving & Excavating, Inc.  
1103 E. Poland Avenue  
Bessemer, PA 16112

Dear Mr. Vietmeier:

This is in reference to your application dated July 19, 1996 for an NRC license authorizing Troxler moisture density gauges. In order to continue our review, we need the following additional information:

1. Your application should have been signed by a management representative rather than Mr. Vietmeier. Please submit a letter signed by a management representative indicating that management has reviewed the application and concurs in the statements and representations contained therein. Note also that a management representative should sign all future correspondence which request change in your license.
2. In Item 3. of your application, you indicate that the gauge will be used at 1103 East Poland Avenue. Confirm that you wish to use the gauge at temporary job sites.
3. Provide a commitment to not exceed the activity limits specified in 10 CFR 30.35(d) or, alternatively, specify the maximum number of identical source/device combinations that will be possessed at any one time.
4. Indicate if you will be using sources at depths greater than 3 feet. If so, provide procedures to minimize "stuck" sources (e.g., use of casing) and procedures to recover "stuck" source. Also, confirm that you will notify the NRC in the event of a "stuck" source.
5. Provide a management commitment that the Radiation Safety Officer is authorized to stop unsafe operations and has sufficient time to perform radiation safety duties and responsibilities. Please provide an organizational chart showing the RSO position.
6. With regard to your training program, provide a commitment that each user be designated in writing by RSO.
7. Provide a description of your Petersburg, Ohio facility, including a drawing similar to the one submitted for your Bessemer facility.

James M. Vietmeier, Jr.  
Romano Paving & Excavating, Inc.

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8. Please provide the following information regarding the leak testing of your sealed sources:

- a. A description of the procedure for leak testing the source.
- b. The instrumentation used to measure activity on the wipe and the lower limit of detectability for this instrumentation.

If you elect to have another person perform the leak test, please submit the name of the person and the applicable NRC or Agreement State license number. If this person is not licensed, please submit a description of their procedure and instrumentation as requested above.

9. Confirm that you will perform physical inventories of all sealed sources at intervals not to exceed six months and that records of such inventories will be kept for three years.

10. With regard to your annual audits, provide confirmation that management will promptly review the documented results of the audit, that prompt action will be taken to correct deficiencies and that personnel will be informed of deficiencies and corrective steps.

We will continue our review upon receipt of this information. Please reply in duplicate to my attention at the Region I Office and refer to Mail Control No. 123510. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5069.

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.

Sincerely,

**ORIGINAL SIGNED BY:**

John R. McGrath  
Senior Health Physicist  
Division of Nuclear Materials Safety

License No. New  
Docket No. 030-34212  
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