

MATERIALS LICENSE

Amendment No. 03

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

Licensee		In accordance with the application dated December 23, 1996	
1. ATC Associates Inc.		3. License Number 24-26467-01 is amended in its entirety to read as follows:	
2. 8233 Brentwood Industrial Drive St. Louis, MO 63144		4. Expiration Date February 28, 2003	
		5. Docket or Reference No. 030-33038	
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 source (Troxler Dwg. No. A-102112)	A. 10 sources not to exceed 10 millicuries each	
B. Americium-241	B. Sealed source (Troxler Dwg. No. A-102451)	B. 10 sources not to exceed 50 millicuries each	
9. Authorized Use:			
A. and B. To be used in Troxler Model 3400 Series moisture/density gauges.			

CONDITIONS

10. Licensed material shall be used only at the licensee's facilities located at 2275 Cassens Drive, Fenton, MO, and 8233 Brentwood Industrial Drive, St. Louis, MO.
11. The Radiation Safety Officer for this license is Robert J. Skrivan.
12. Licensed material shall only be used by, or under the supervision and in the physical presence of, Robert J. Skrivan or individuals who have successfully completed the manufacturer's training program for gauge users, have been instructed in the licensee's routine and emergency operating procedures and who have been designated by the Radiation Safety Officer. The licensee shall maintain records of individuals designated as users and their training for 5 years following the last use of licensed material by the individual.

070036

9702070393 970124
PDR ADOCK 03033038
C PDR

COPY

MATERIALS LICENSE
SUPPLEMENTARY SHEET

License Number

24-26467-01

Docket or Reference Number

030-33038

Amendment No. 03

13. A. Sealed sources and detector cells shall be tested for leakage and/or contamination at intervals not to exceed 6 months or at such other intervals as specified by the certificate of registration referred to in 10 CFR 32.210.
- B. Notwithstanding Paragraph A of this Condition, sealed sources designed to emit alpha particles shall be tested for leakage and/or contamination at intervals not to exceed 3 months.
- C. In the absence of a certificate from a transferor indicating that a leak test has been made within 6 months prior to the transfer, a sealed source or detector cell received from another person shall not be put into use until tested.
- D. 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 need not be leak tested if:
- (i) they contain only hydrogen-3; or
 - (ii) they contain only a radioactive gas; or
 - (iii) the half-life of the isotope is 30 days or less; or
 - (iv) they contain not more than 100 microcuries of beta and/or gamma emitting material or not more than 10 microcuries of alpha emitting material; or
 - (v) they are not designed to emit alpha particles, are in storage, and are not being used. However, when they are removed from storage for use or transferred to another person, and have not been tested within the required leak test interval, they shall be tested before use or transfer. No sealed source or detector cell shall be stored for a period of more than 10 years without being tested for leakage and/or contamination.

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- F. The leak test shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. Records of leak test results shall be kept in units of microcuries and shall be maintained for inspection by the Commission. 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 shall be removed immediately from service and decontaminated, repaired, or disposed of in accordance with Commission regulations. The report shall be filed within 5 days of the date the leak test result is known with the U.S. Nuclear Regulatory Commission, Region III, 801 Warrenville Road, Lisle, IL 60532, ATTN: Chief, Nuclear Materials Safety Branch. The report shall specify the source involved, the test results, and corrective action taken. Records of leak test results shall be kept in units of microcuries and shall be maintained for inspection by the Commission. Records may be disposed of following Commission inspection.
- G. The licensee is authorized to collect leak test samples for analysis by Troxler Electronic Laboratories. Alternatively, tests for leakage and/or contamination may be performed by persons specifically licensed by the Commission or an Agreement State to perform such services.
14. Sealed sources or detector cells containing licensed material shall not be opened or sources removed from source holders by the licensee.
15. When performing tests at temporary job sites, the authorized user shall not leave the moisture/density gauge unattended. Upon completion of tests the device shall be locked in the licensee's vehicle or a secure building to prevent unauthorized use, loss, or theft.
16. The licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license. Records of inventories shall be maintained for 5 years from the date of each inventory, and shall include the quantities and kinds of byproduct material, manufacturer's name and model numbers, location of the sources and/or devices, and the date of the inventory.
17. The licensee is authorized to transport licensed material only in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
18. Each portable nuclear gauge shall have a lock or outer locked container designed to prevent unauthorized or accidental removal of the sealed source from its shielded position. The gauge or its container must be locked when in transport, storage, or when not under the direct surveillance of an authorized user.

COPY

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

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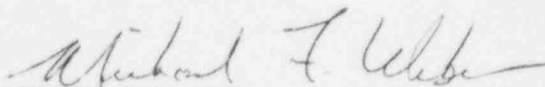
19. Any cleaning, maintenance, or repair of the gauge(s) that requires removal of the source rod shall be performed only by the manufacturer or by other persons specifically licensed by the Commission or an Agreement State to perform such services.
20. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. The U.S. Nuclear Regulatory Commission's regulations shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the regulations.
- A. Application dated December 23, 1996; and
- B. Letters dated December 22, 1992 and January 17, 1997.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date

1/24/97

By



Nuclear Materials Licensing Branch, Region III

COPY

BETWEEN:

License Fee Management Branch, ARM
and
Regional Licensing Sections

(FOR LFMS USE)
INFORMATION FROM LTS

Program Code: 03121
Status Code: 0
Fee Category: 3P
Exp. Date: 20030228
Fee Comments:
Decom Fin Assur Req'd: N

52

LICENSE FEE TRANSMITTAL

A. REGION

1. APPLICATION ATTACHED

Applicant/Licensee: ATC GROUP SERVICES, INC.
Received Date: 961224
Docket No: 3033038
Control No.: 302170
License No.: 24-26467-01
Action Type: Amendment

2. FEE ATTACHED

Amount: 495
Check No.: 2853

3. COMMENTS

Signed
Date

D. Hersey
12-31-96

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered / /)

1. Fee Category and Amount: 3P \$300
2. Correct Fee Paid. Application may be processed for:
Amendment ☒
Renewal ☐
License ☐

3. OTHER

Signed
Date

SC
1/6/97

JAN 15 1997

Log	<u>Jan 3 '97</u>
Remitter	<u>ATEC ASSOC, Inc.</u>
Check No.	<u>2853</u>
Amount	<u>(495) (300)</u>
Fee Category	<u>3P</u>
Type of Fee	<u>Amend</u>
Date Check Rec'd	<u>1/6/97</u>
Date Completed	<u>1/6/97</u>
By	<u>SC</u>

Refund A195.0

NRC FORM 313

(10-84)

10 CFR 30, 32, 33

34, 35, 36, 39 and 40

U. S. NUCLEAR REGULATORY COMMISSION

APPROVED BY OMB: NO. 3150-0120

EXPIRES 6-30-96

APPLICATION FOR MATERIAL LICENSE

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS INFORMATION COLLECTION REQUEST: 9 HOURS. SUBMITTAL OF THE APPLICATION IS NECESSARY TO DETERMINE THAT THE APPLICANT IS QUALIFIED AND THAT ADEQUATE PROCEDURES EXIST TO PROTECT THE PUBLIC HEALTH AND SAFETY. FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE INFORMATION AND RECORDS MANAGEMENT BRANCH (T-8 F33), U.S. NUCLEAR REGULATORY COMMISSION, WASHINGTON, DC 20545-0001, AND TO THE PAPERWORK REDUCTION PROJECT (3150-0120), OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503.

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.

APPLICATION FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH:

DIVISION OF INDUSTRIAL AND MEDICAL NUCLEAR SAFETY
OFFICE OF NUCLEAR MATERIALS SAFETY AND SAFEGUARDS
U.S. NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555-0001

ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS:

IF YOU ARE LOCATED IN:

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

LICENSING ASSISTANT SECTION
NUCLEAR MATERIALS SAFETY BRANCH
U.S. NUCLEAR REGULATORY COMMISSION REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PA 19406-1215

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

NUCLEAR MATERIALS LICENSING SECTION
U.S. NUCLEAR REGULATORY COMMISSION REGION II
101 MARIETTA STREET, NW, SUITE 2000
ATLANTA, GA 30333-0199

IF YOU ARE LOCATED IN:

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

MATERIALS LICENSING SECTION
U.S. NUCLEAR REGULATORY COMMISSION, REGION III
501 WARRENVILLE RD.
LISLE, IL 60532-4351

ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, HAWAII, IDAHO, KANSAS,
LOUISIANA, MONTANA, NEBRASKA, NEVADA, NEW MEXICO, NORTH DAKOTA,
OKLAHOMA, OREGON, PACIFIC TRUST TERRITORIES, SOUTH DAKOTA, TEXAS, UTAH,
WASHINGTON, OR WYOMING, SEND APPLICATIONS TO:

NUCLEAR MATERIALS LICENSING SECTION
U.S. NUCLEAR REGULATORY COMMISSION, REGION IV
511 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TX 76011-8054

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 JURISDICTIONS.

1. THIS IS AN APPLICATION FOR (Circle appropriate item):

- ☐ A. NEW LICENSE
☒ B. AMENDMENT TO LICENSE NUMBER 24-26467-01
☐ C. RENEWAL OF LICENSE NUMBER

2. NAME AND MAILING ADDRESS OF APPLICANT (Provide full name):

ATC GROUP SERVICES INC. (dba ATC ASSOCIATES INC.)
8233 BRENTWOOD INDUSTRIAL DRIVE
ST. LOUIS, MISSOURI 63144

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

ATC GROUP SERVICES INC. (dba ATC ASSOCIATES INC.)
8233 BRENTWOOD INDUSTRIAL DRIVE
ST. LOUIS, MISSOURI 63144
(SEE ATTACHED SHEET)

4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION:

ROBERT J. SKRIVAN

TELEPHONE NUMBER

(314) 644-2500

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. NO CHANGE

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

NO CHANGE

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

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

9. FACILITIES AND EQUIPMENT:

10. RADIATION SAFETY PROGRAM:

NO CHANGE

11. WASTE MANAGEMENT:

NO CHANGE

12. LICENSES FEES (See 10 CFR 170 and Section 170.31)

FEE CATEGORY

AMOUNT

ENCLOSED \$ 495.00

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

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, 36, 39 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, 1949 52 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.

CERTIFYING OFFICER - TYPE PRINTED NAME AND TITLE

ROBERT J. SKRIVAN, PROJECT MANAGER, R.S.O.

SIGNATURE

Robert J. Skrivan

DATE

12/23/96

FOR NRC USE ONLY

TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
			\$		

APPROVED BY

Pm: 12-23-96

DATE

DEC 24 1996

302170 REGION III

Requested Items for Amendment of License No. 24-26467-01

1. Change of ownership (information provided);
2. Name and address of applicant;
3. (Form Item #3) The density/moisture gauges will be used at temporary job sites throughout Missouri. The gauges will continue to be stored at 2275 Cassens Drive, Suite 123, Fenton, Missouri 63026-2501, until the new location is authorized. Upon authorization of the new storage location, a survey of the storage area will be conducted and a report provided for close-out of the Fenton storage location;
4. (Form Item #4) Change of contact person and telephone number;
5. (Form Item #5) No change in the devices listed on the license;
6. (Form Item #6) No change in the use of the devices listed on the license;
7. (Form Item #7) Individual responsible for the Radiation Safety Program is to be changed to Robert J. Skrivan. Mr. Skrivan has completed a Radiological Safety and Gauge Operation course provided by Troxler Electronics Laboratories, Inc. (Certificate #063833, dated June 9, 1994 - copy attached), and completed a Radiation Safety Officer training course provided by Troxler Electronics Laboratories, Inc. on December 18, 1996 (copy of certificate not yet received);
8. (Form Item #8) Robert J. Skrivan is the only individual currently certified to operate the gauges. See training information in Item #7;
9. (Form Item #9) Upon approval of the new storage location, the gauges will be moved from the Fenton location to a storage location in the warehouse portion of the facility located at 8233 Brentwood Industrial Drive (see attached floor plan). The storage cabinet will be attached to a support beam of the structure, properly labeled, and not located within 15 feet of any permanent work station;
10. (Form Item #10) No change in the Radiation Safety Program; and
11. (Form Item #11) No change in the Waste Management.

TROXLER ELECTRONIC LABORATORIES, INC.

HEREBY CERTIFIES THAT

ROBERT J. SKRIVAN

of

ATEC AND ASSOC.

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

SUBJECTS INCLUDED IN THIS COURSE WERE AS FOLLOWS:

Radiological Safety

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

Gauge Operation

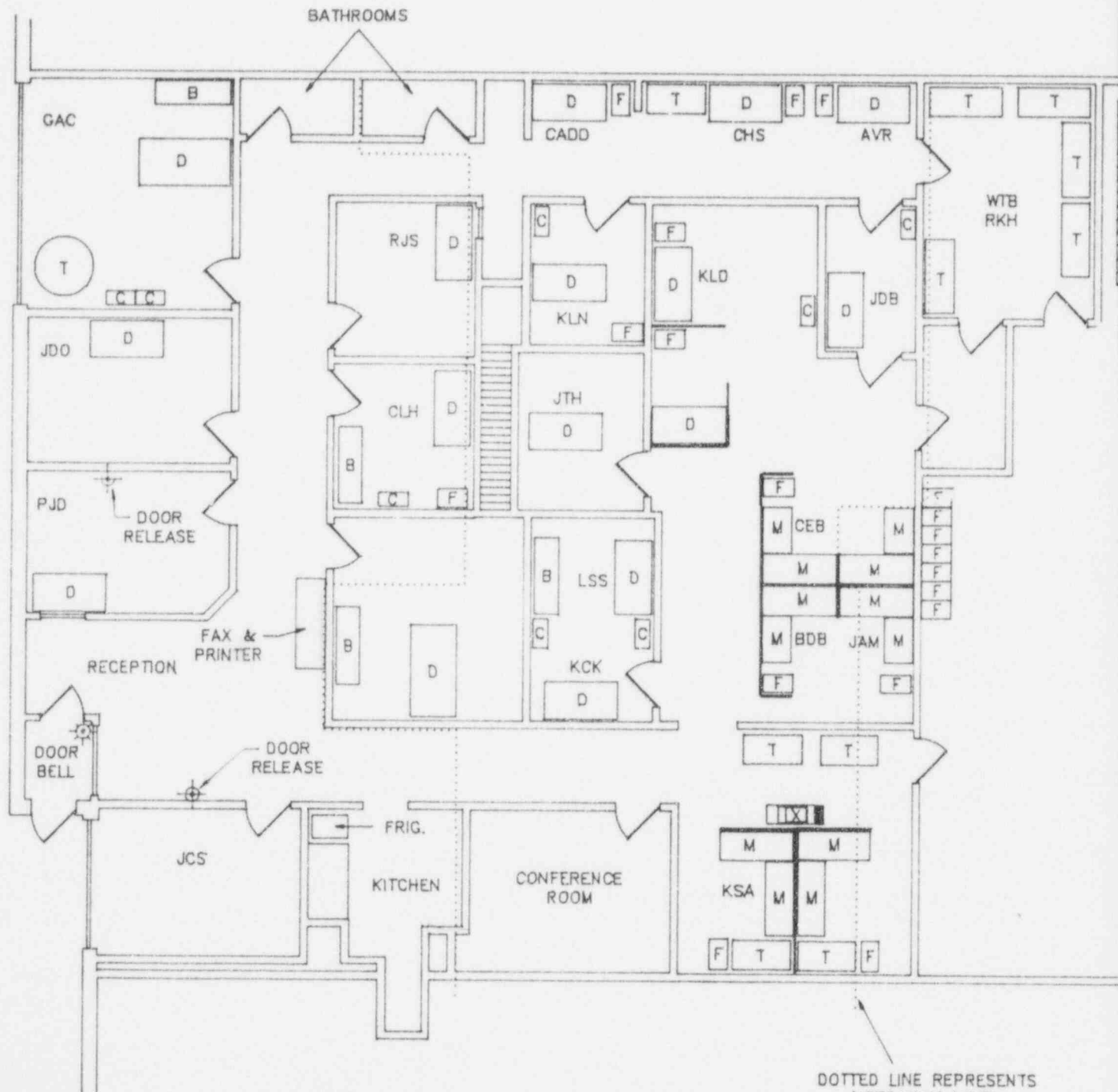
- | | |
|-------------------------|----------------------|
| 1. Instrument theory | 4. Field application |
| 2. Operating procedures | 5. Gauge calibration |
| 3. Maintenance | |

Stewart Spraggins
STEWART SPRAGGINS
INSTRUCTOR

CERTIFICATE #: 063833

6/09/94
DATE

WILLIAM F. TROXLER
PRESIDENT

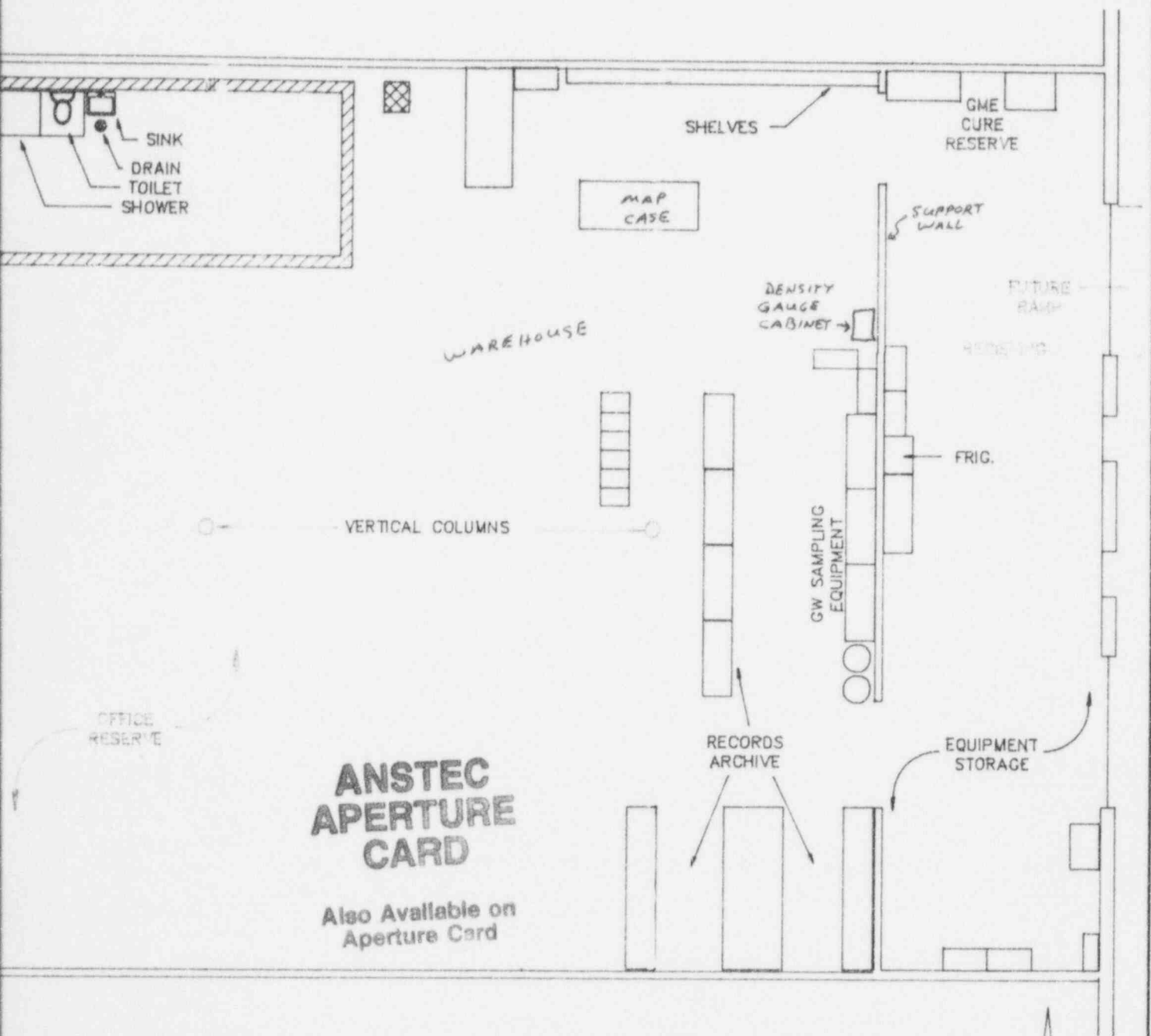


DOTTED LINE REPRESENTS
MEZZANINE LEVEL

LEGEND

(---) M DIMENSIONS VISUALLY ESTIMATED FROM GROUND LEVEL

FURNITURE
 M - MODULAR DESK
 T - TABLE
 F - FILE
 D - DESK
 B - BUREAU
 C - BOOK SHELF
 X - COPIER



9702070393-1



OFFICE LAYOUT
ATC OFFICE SPACE
8233 BRENTWOOD INDUSTRIAL DRIVE
BRENTWOOD, MISSOURI

PROJECT NUMBER:

FIGURE
1

CHECKED BY:

SCALE:
1" = 10' ±5%

DRAWN BY:
CHS 7-30-96

DRAWING FILE: ATC-BLDG

(L2)

REVISED BY:
CHS 12-5-96

ATC ASSOCIATES INC.

ATTACHMENT 1

ATC Environmental, Inc.

FEIN: 46-0399408

Registered Office:

Dover, Delaware

Principal Office:

New York, New York

Officers and Directors:

President, CEO, Treasurer,
and Director

Morry F. Rubin
104 East 25th Street, Tenth Floor
New York, NY 10010-2917

Secretary and
Chairman of the Board

George Rubin
104 East 25th Street, Tenth Floor
New York, NY 10010-2917

Senior Vice President

Christopher P. Vincze
600 West Cummings Park, Suite 6500
Woburn, MA 01801-6350

Senior Vice President

Nicholas J. Malino
104 East 25th Street, Tenth Floor
New York, NY 10010-2917

Senior Vice President

Donald W. Beck
104 East 25th Street, Tenth Floor
New York, NY 10010-2917

Vice President and
Director

Richard L. Pruitt
1515 East 10th Street
Sioux Falls, SD 57103

55#
479-48-9309

Chief Financial Officer

Wayne A. Crosby
1515 East 10th Street
Sioux Falls, SD 57103

Director

Julia S. Heckman
One Liberty Plaza, 31st Floor
165 Broadway, New York, NY 10006

Director

Richard Greenberg
24688 Foothills Drive North
Golden, CO 80401

Key Employee

John J. Smith
1515 East 10th Street
Sioux Falls, SD 57103

ATTACHMENT 2

ATC ENVIRONMENTAL INC.

FOR IMMEDIATE RELEASE -MAY 28, 1996

NASDAQ:NMS Symbol

Common Stock - ATCE

Class C Warrants - ATCEL

ATC ENVIRONMENTAL INC. COMPLETES PURCHASE OF ASSETS OF CONSULTING FIRM WITH 1995 REVENUES OF \$85,700,000

NEW YORK, NY - May 28 1996 - ATC Environmental Inc. ("ATC") announced that it has purchased specified assets and assumed specified liabilities of American Testing and Engineering Corporation ("ATEC") a national environmental consulting firm. The business had audited total revenues of approximately \$85,000,000 and reported a net loss of approximately \$1,800,000 for the year ended December 31, 1995, not including revenues from an excluded subsidiary. For the four months ended April 30, 1996, ATEC reported total revenues of approximately \$24,200,000 and a loss of \$400,000.

This acquisition will be accounted for as a purchase. The assets acquired by ATC consist of intangible assets, including customer contract rights, customer lists, order backlog and customer records, and certain tangible assets consisting of accounts receivable, work in process and customer and certain other deposits. ATC also executed a lease agreement with the option to purchase substantially all of the seller's equipment, several sublease agreements for premises leased by the seller, non-competition agreements with the seller, a major shareholder of the seller and a non-acquired subsidiary of the seller, and a consulting services agreement with a major shareholder of seller. Consideration consists of cash paid at closing of \$9,000,000 and future payment obligations to the seller and a major shareholder of the seller totaling \$6,000,000. Up to \$2,000,000 of amounts paid at closing may be recoverable based on net revenues earned during the first year following the purchase. In addition, ATC will pay contingent consideration of up to \$10,750,000 upon the attainment of certain revenue targets and certain other conditions. Additionally, ATC assumed liability for ATEC's bank debt, accounts payable and certain other recorded liabilities and ATEC's obligations under certain contracts, and incurred direct expenses and transition costs.

ATEC provides environmental consulting and engineering services including risk assessments, compliance audits, environmental remediation consulting, geotechnical and materials testing, industrial hygiene and analytical services through a large national network of branch and regional offices.

This acquisition is expected to be immediately accretive to earnings. No stock will be issued in connection with the transaction. ATC expects to retain nearly all of the seller's current revenue base, although no assurance can be given in this regard.

ATC is a multi-disciplinary national environmental consulting and management firm providing industrial hygiene, lead-paint risk and environmental remediation consulting, analytical, training, environmental auditing and assessment and systems design and risk analysis services. Its services are provided to a broad range of clients, including Fortune 500 firms, financial institutions, and federal, state and local government agencies. With the completion of this purchase, ATC will be one of the 40 largest firms in the U.S. environmental engineering and consulting services sector.

Contact: Morry F. Rubin, President and CEO, at (212) 353-8280.

ATTACHMENT 3

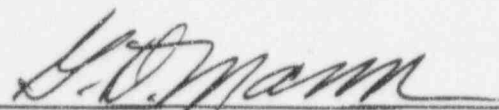
ATTACHMENT 4

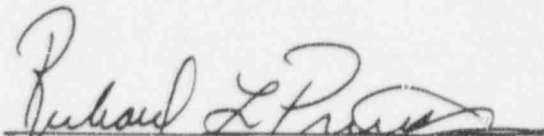
AGREEMENT AND COMMITMENT
FOR
NRC LICENSED MATERIALS

By signature of this document , the transferor and transferee document their agreement to the change in control of the licensed material and activity, and the conditions of transfer. The transferor also indicates that the transferee has been made aware of all open inspection items and its responsibility for possible resulting enforcement actions that were in being at the time of the transfer.

Transferor
American Engineering and Testing Corp
d/b/a ATEC Associates Inc.

Transferee
ATC Environmental Inc.


Gerald D Mann


Richard L. Pruitt

**DIVISION OF ACCOUNTING AND FINANCE
REQUEST FOR REFUND TO EMPLOYEE/VENDOR**

THE EMPLOYEE/VENDOR IDENTIFIED BELOW HAS OVERPAID THE NUCLEAR REGULATORY
COMMISSION FOR GOODS AND/OR SERVICES PROVIDED AND IS DUE A REFUND

EMPLOYEE/VENDOR/PAYEE CODE: _____

NAME: ATC Group Services, Inc.

ADDRESS: Attn: Robert Skirvan

ADDRESS: 8233 Brentwood Industrial Drive

CITY: St. Louis STATE: MO ZIP: 63144

TRANS CODE: PX

TRANS TYPE: FE FUND: X5280 JOB CODE: _____ AMOUNT: \$195⁰²

TRANS TYPE: IR FUND: R1435 JOB CODE: INTR AMOUNT: _____

TRANS TYPE: IR FUND: R1099 JOB CODE: ADCH AMOUNT: _____

TRANS TYPE: IR FUND: R1099 JOB CODE: FINE AMOUNT: _____

TOTAL REFUND AMOUNT: \$195⁰²

COMMENTS: Lic 24-26467-01/CK 2853/Refund
12/23/96 Regstr

(limit comments to 40 characters, including spaces)

PREPARED BY: Shirley Crutchfield DATE: Jan. 6, 1997

AUTHORIZED BY: Sandra Kimberly DATE: 1/6/97

ORIGINAL INV. NO: _____ DATE PAID: _____ AMOUNT: _____

REFUND ENTERED INTO COLLECT BY: _____

REFUND DETERMINED BY: _____ DATE: _____

Jan 3 III
3p AMD \$300

2853 \$495
Std 12/23/96

PLEASE ATTACH APPROPRIATE SUPPORTING DOCUMENTATION

207170

JAN 31 1997

Robert J. Skrivan
Radiation Safety Officer
ATC Associates Inc.
8233 Brentwood Industrial Drive
St. Louis, MO 63144

Dear Mr. Skrivan:

This refers to your amendment request dated December 23, 1996, in which you notified the NRC of the transfer of ownership and control of NRC License No. 24-26467-01, and to our telephone conversation on January 24, 1997.

As we discussed on January 24, 1997, the change of ownership transaction required an amendment to the existing license. Failure to obtain NRC consent to the change of ownership prior to the change is a violation of 10 CFR 30.34(b) and is addressed in the attached Notice of Violation. The root cause and corrective action for the violation appear to have been addressed by ATC Associates Inc., therefore, no response to the violation is required. However, we caution you that future violations of this type involving ATC Associates Inc.'s licensed activities may result in escalated enforcement actions.

Enclosed is Amendment No. 03 to your NRC Material License No. 24-26467-01 in accordance with your request. Please review the document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region III office at (630) 829-9887 so that we can provide appropriate corrections and answers.

Please be advised that we cannot delete 2275 Cassens Drive, Fenton, MO, as an area of use (including storage) until we have received and reviewed confirmation that: (1) all licensed materials have been removed from this location, (2) all sealed sources have been tested for leakage and/or contamination per License Condition No. 13, and (3) all sealed sources have less than 0.005 microcuries of removable contamination. When submitting this information, please state that it is additional information to Control Number 302170.

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

1. Operate in accordance with NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers; Inspections," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.

302170

2. Notify NRC, in writing, within 30 days:
 - a. When the Radiation Safety Officer permanently discontinues performance of duties under the license or has a name change; or
 - b. When the licensee's mailing address changes (no fee is required if the location of byproduct material remains the same).
3. In accordance with 10 CFR 30.36(b) and/or license condition, notify NRC, promptly, in writing, and request termination of the license when you decide to terminate all activities involving materials authorized under the license.
4. Request and obtain a license amendment before you:
 - a. Change Radiation Safety Officers;
 - b. Order byproduct material in excess of the amount, or radionuclide, or form different than authorized on the license;
 - c. Add or change the areas of use or address or addresses of use identified in the license application or on the license; or
 - d. Change ownership of your organization.
5. Submit a complete renewal application with proper fee or termination request at least 30 days before the expiration date of your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of byproduct material after your license expires is a violation of NRC regulations. A license will not normally be renewed, except on a case-by-case basis, in instances where licensed material has never been possessed or used.

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

You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you. This could include issuance of a notice of violation, or imposition of a civil penalty, or an order suspending, modifying or revoking your license as specified in the General Policy and Procedures for NRC Enforcement Actions. Since serious consequences to employees and the public can result from failure to comply with NRC requirements,

R. Skrivan

-3-

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.

In accordance with 10 CFR 2.790 of the NRC's "Rule of Practice," a copy of this letter and the enclosure, will be placed in the NRC Public Document Room.

Sincerely,

Cynthia D. Pederson, Director
Division of Nuclear Materials Safety

License No.: 24-26467-01

Docket No.: 030-33038

Enclosures: 1. Amendment No. 03
2. Notice of Violation

bcc w/encl: PUBLIC
H. Brent Clayton, EICS

DOCUMENT NAME: M:\03033038.CL7

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

OFFICE	DNMS/RIII	E	DNMS/RIII		DNMS/RIII				
NAME	MWEBER:jaw		BJHOLT		CDPederson				
DATE	01/24/97		01/24/97		01/27/97				

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

A TEC Associates Inc.
St. Louis, Missouri

License No. 24-26467-01
Docket No. 030-33038

During an NRC review conducted between January 14, 1997 and January 24, 1997, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violation is listed below:

10 CFR 30.34(b) states that no license issued or granted pursuant to the regulations in this part and Parts 31 through 39, nor any right under a license shall be transferred, assigned or in any manner disposed of, either voluntary or involuntary, directly or indirectly, through transfer of control of any license to any other person, unless the Commission shall, after securing full information, find that the transfer is in accordance with the provisions of the Act and shall give its consent in writing.

Contrary to the above, on May 24, 1996, ATEC Associates Inc. transferred License Number 34-18893-01 to ATC Environmental Inc. (now known as ATC Associates Inc.), and the Commission had not been provided full information about the transfer or given its consent to the transfer in writing prior to May 24, 1996.

This is a Severity Level IV violation (Supplement VI).

The review showed that steps had been taken to correct the identified violation and to prevent recurrence. Consequently, no reply to the violation is required and we have no further questions regarding this matter.

Dated at Lisle, Illinois
this 31 day of January 1997

UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351
630-829-9887 (phone), 630-515-1259 (fax)

CONVERSATION RECORD

TIME

DATE

1/24/97

NAME OF PERSON(S) CONTACTED

ORGANIZATION

TELEPHONE NO.

Bob Skrivan, RSO

ATC (St. Louis)

314-644-2500

SUBJECT

Amendment request - **CONTROL NO. 302170**

SUMMARY

The change of ownership transaction required an amendment to the existing license. Failure to obtain NRC consent to the change of ownership prior to the change is a violation of 10 CFR 30.34(b) and is addressed in the Notice of Violation. The root cause and corrective action for the violation appear to have been addressed by ATC Associates Inc., therefore, no response to the violation is required. However, you are cautioned that the NRC expects licensed activities to be conducted with the necessary meticulous attention to detail and a high standard of compliance, and further violations of this nature will be strongly addressed.

(NOTE: The decision to cite the licensee with a SL IV violation with no response was cleared with NMSS (Patricia Holahan) on 1/24/97 - prior to this phone call.)

ACTION REQUIRED


Issue amendment.

NAME OF PERSON DOCUMENTING CONVERSATION

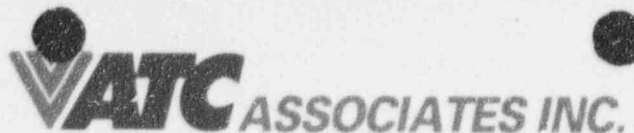
SIGNATURE

DATE

Michael F. Weber

|  |

1/27/97



January 17, 1997

United States Nuclear Regulatory Commission
Region III
801 Warrenville Road
Lisle, Illinois 60532-4351
PHN: (630) 829-9887
FAX: (630) 515-1259
ATTN: Mr. Michael F. Weber

SUBJECT:

Amendment Request for Material License
ATC Associates Inc.
8233 Brentwood Industrial Drive
St. Louis, Missouri 63144
Control Number 302170

Dear Mr. Weber:

The following letter is a response to your faxed request dated January 17, 1997, requesting clarification on several points in our request for amendment of our material license. In reference to "Item 9 - Facilities and Equipment" of the Draft Regulatory Guide DG-0008 "Applications for the Use of Sealed Sources In Portable Gauging Devices" dated May 1995, the following points are provided for clarification:

Item 9, Paragraph 1: The ATC Associates Inc. office and warehouse located at 8233 Brentwood Industrial Drive, St. Louis, Missouri is a currently existing facility. ATC Associates Inc. moved into the location in August 1996.

Item 9, Paragraph 2: The ATC Associates Inc. office and warehouse located at 8233 Brentwood Industrial Drive, St. Louis, Missouri is a combined office/warehouse space located in Brentwood Industrial Park. This area is zoned Business/Industrial by the City of Brentwood and St. Louis County. There are no residential structures or residential occupation in the Brentwood Industrial Park. Residential requirements are not applicable to the ATC Associates Inc. nuclear gauge storage location.

Pm: 1-17-97

RECEIVED

JAN 21 1997

REGION III



Mr. Michael F. Weber
January 17, 1997
Page 2 of 2

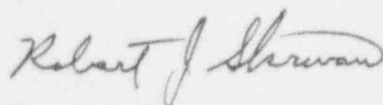
Item 9, Paragraph 3: The nuclear gauges will be stored in a metal storage cabinet in the warehouse portion of the ATC Associates Inc. business location (see attached diagram). No permanent employee work stations will be located within 15 feet of the storage location. The metal storage cabinet will be dedicated solely for the storage of the nuclear gauges, and the cabinet will be labeled with appropriate warning labels.

Item 9, Paragraph 4: The sources on the three gauges maintained by ATC Associates Inc. will remain in the closed position and secured with padlocks when not in use. The gauges will be stored in the metal storage cabinet, and the storage cabinet doors closed and locked when not being accessed. The metal cabinet will be anchored to a dividing wall within the warehouse. The ATC Associates Inc. business location will be secured and locked when no ATC personnel are present (triple lock protection of sources).

Item 9, Paragraph 7: In the majority of our work situations, the nuclear gauges are utilized within a local radius of St. Louis and can be returned to the permanent storage location at the end of each work day. In review of previous gauge use records, the nuclear gauges have been returned to the permanent storage facility approximately 95% of the time. In the event where a technician must travel further from St. Louis, and not return at the end of the day, the gauge will be placed in secured storage. The gauge source will be in the closed position and secured with a padlock. The gauge will be placed in a D.O.T. approved and labeled transportation case, and the case secured closed with a padlock. The gauge and transportation case will be placed within an on-site work trailer and secured with a chain and padlock to an interior structural member of the trailer. Finally, the work trailer will be padlocked closed at the end of the work day (quadruple lock protection of sources). The gauge will be in a labeled case, will not be an "attractive nuisance" within the trailer, and the trailer will be located on a work site not open to the general public.

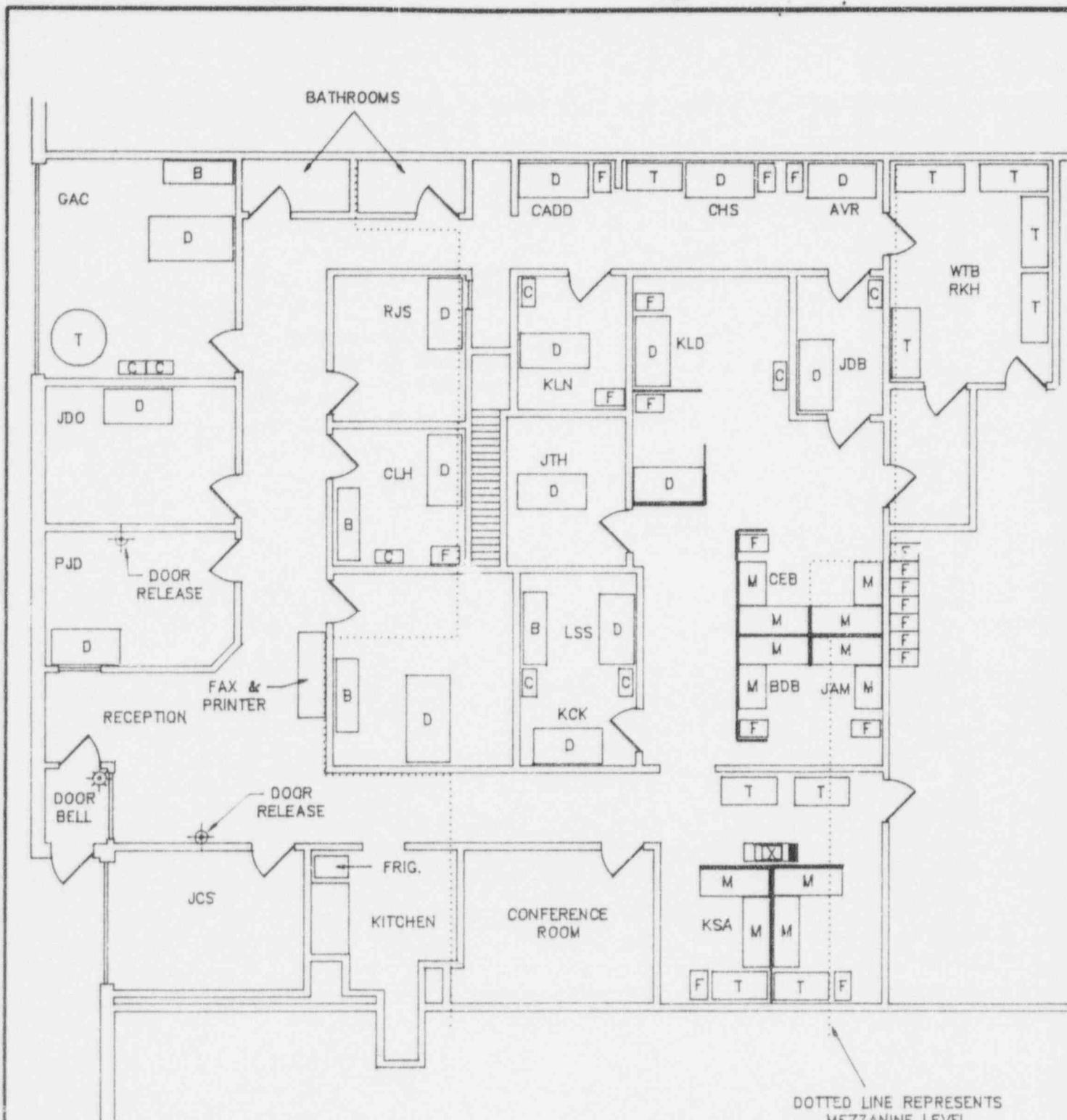
Hopefully this response will clarify our amendment request and expedite the issuance of the amendment to our license. A hard copy of this letter and attachment will be forwarded by UPS next day delivery. Please call if you have any further questions.

Respectfully submitted,
ATC Associates Inc.



Robert J. Skrivan
Radiation Safety Officer

Attachment: Office Layout

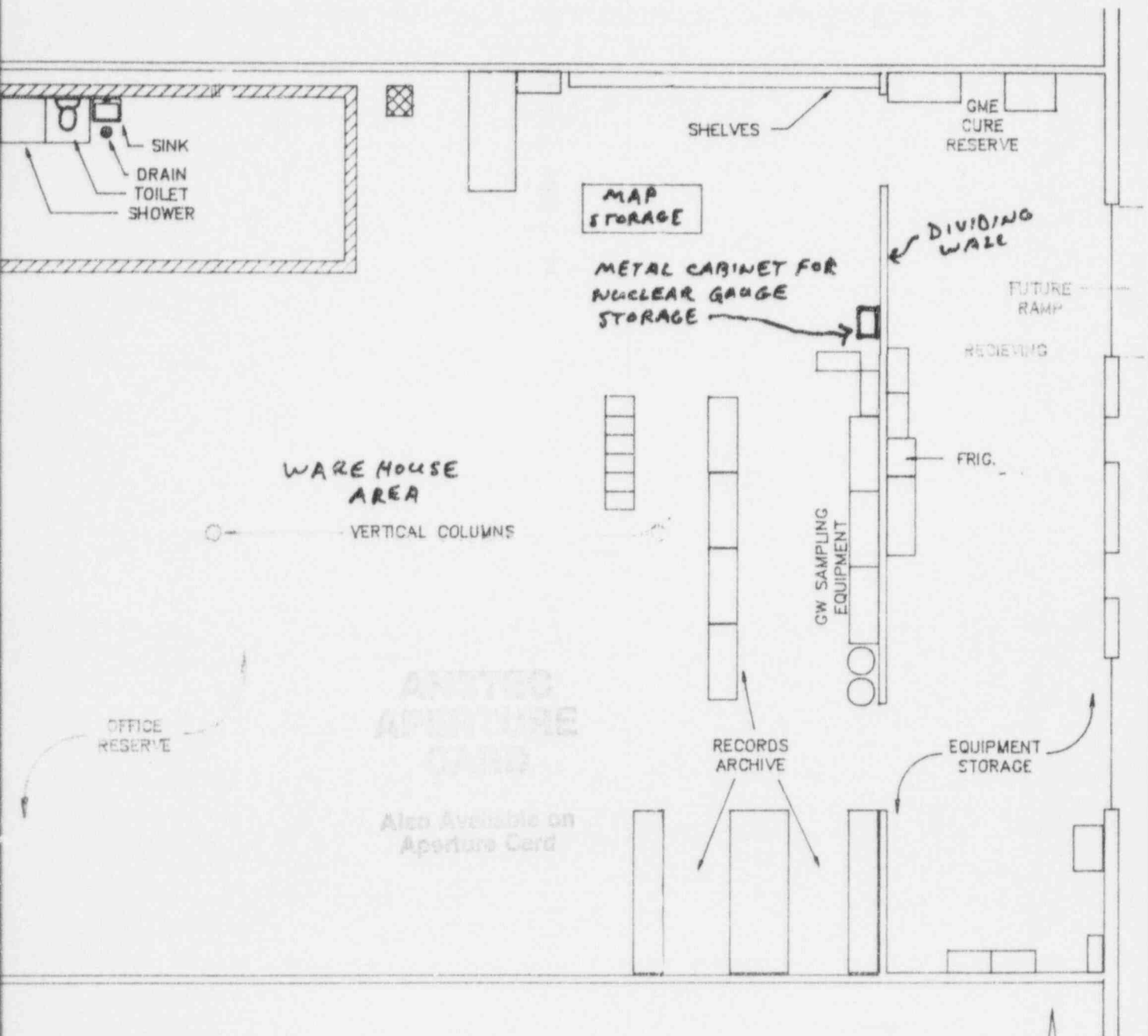


LEGEND

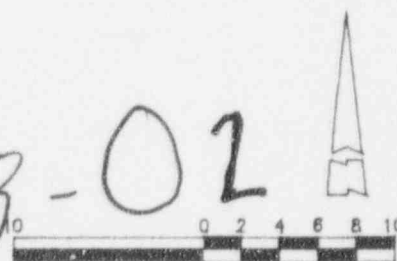
I-BEAM DIMENSIONS VISUALLY ESTIMATED FROM GROUND LEVEL

FURNITURE

- M - MODULAR DESK
- T - TABLE
- F - FILE
- D - DESK
- B - BUREAU
- C - BOOK SHELF
- X - COPIER



9702070393-02



OFFICE LAYOUT
 ATC OFFICE SPACE
 8233 BRENTWOOD INDUSTRIAL DRIVE
 BRENTWOOD, MISSOURI

PROJECT NUMBER:

FIGURE

1

CHECKED BY:

(L2)

SCALE:
 1" = 10' ±5%

DRAWN BY:
 CHS 7-30-96

REVISED BY:
 CHS 12-5-96

DRAWING FILE: ATC-BLDG

ATC ASSOCIATES INC.

UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351
630-829-9887 (phone), 630-515-1259 (fax)

CONVERSATION RECORD

TIME

8:30 am

DATE

1/17/97

NAME OF PERSON(S) CONTACTED

ORGANIZATION (OFFICE, DEPT. ETC.)

TELEPHONE NO.

Robert Skrivan, RSO

ATC Associates, Inc.

314-644-2500

SUBJECT

Amendment Request - **Control Number 302170.**

SUMMARY

1) I indicated that before the amendment could be issued, we needed additional information regarding the new facility. I'll fax the relevant pages from Regulatory Guide DG-0008 to Mr. Skrivan.

2) We discussed the new name of the company. Mr. Skrivan indicated that the name on the license should be ATC Associates, Inc.

Please send the response letter ASAP via fax, and follow up w/ a hard copy. Please refer to Control Number 302170 so your letter goes directly to me.

ACTION REQUIRED

Send fax, wait for response letter.

NAME OF PERSON DOCUMENTING CONVERSATION

SIGNATURE

DATE

Michael F. Weber

| *Michael F. Weber*

| 1/17/97



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351

January 3, 1997

Robert J. Skrivan
Radiation Safety Officer
ATC Group Services, Inc.
d/b/a ATC Associates, Inc.
8233 Brentwood Industrial Drive
St. Louis, MO 63144

SUBJECT: ACKNOWLEDGEMENT OF CORRESPONDENCE
(Application Dated 12/23/96)

Dear Licensee:

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

☐ New License ☒ Amendment ☐ Renewal
☐ Termination ☐ Auth User (Amendment not required)
☐ Other _____

No administrative deficiencies were identified during this initial review. However, it should be noted that a technical review may identify omissions in the submitted information.

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

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

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

If you have a compelling safety or business-related reason for requesting expedited review, please contact the Materials Licensing Branch at (630) 829-9887. We will try to complete your request as soon as practicable. Any correspondence about this request should reference the control number.

Nuclear Materials Support Branch

Mail Control No. 302170
License No. 24-26467-01