

## 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, 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. The Carter Mining Co.

3. License number 49-23532-01

2. P. O. Box 3007  
Gillette, Wyoming 82716

4. Expiration date July 31, 1990

5. Docket or  
Reference No. 030-286576. Byproduct, source, and/or  
special nuclear material7. Chemical and/or physical  
form8. Maximum amount that licensee  
may possess at any one time  
under this license

A. Cesium-137

A. Sealed sources

A. See Condition 9.A.

## 9. Authorized use

- A. For possession and use in Kay-Ray devices which have been evaluated and approved for licensing purposes and authorized for distribution under a license issued by the Nuclear Regulatory Commission or an Agreement State.

## CONDITIONS

10. Licensed material shall be used only at The Carter Mining Company's Rawhide Mine, 10 miles north of Gillette, Wyoming.
11. The licensee shall comply with the provisions of Title 10, Chapter 1, Code of Federal Regulations, Part 19, "Notices, Instructions and Reports to Workers; Inspections" and Part 20, "Standards for Protection Against Radiation."
12. Licensed material shall be used by, or under the supervision of, William C. Dodge, Joe W. Schlautman, Joe C. Hoeh, or John A. Fitch.
13. Sealed sources containing licensed material shall not be opened or removed from their respective source holders by the licensee.

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14. A. (1) Each sealed source containing licensed material, other than hydrogen-3, with a half-life greater than 30 days and in any form other than gas shall be tested for leakage and/or contamination at intervals not to exceed 6 months; except those sealed sources as specified by the manufacturer and specifically authorized by the Commission or an Agreement State may be leak tested at intervals not to exceed 3 years. In the absence of a certificate from a transferor indicating that a test has been made within 6 months prior to the transfer, a sealed source received from another person 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.
- (3) The periodic leak test required by this condition does not apply to sealed sources that are stored and not being used. The sources excepted from this test shall be tested for leakage prior to any use or transfer to another person unless they have been leak tested within 6 months prior to the date of use or transfer.
- B. The test shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. The test sample shall be taken from the sealed source or from the surfaces of the device in which the sealed source is permanently mounted or stored on which one might expect contamination to accumulate. Records of leak test results shall be kept in units of microcuries and maintained for inspection by the Commission.
- C. If the test reveals the presence of 0.005 microcurie or more of removable contamination, the licensee shall immediately withdraw the sealed source from use and shall cause it to be decontaminated and repaired or to be disposed of in accordance with Commission regulations. A report shall be filed within 5 days of the test with U. S. Nuclear Regulatory Commission, Region IV, 611 Ryan Plaza Dr., Suite 1000, Arlington, Texas 76011, describing the equipment involved, the test results, and the corrective action taken.

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14. (continued)

D. The licensee is authorized to collect leak test samples in accordance with the procedures described in the licensee's application received May 1, 1985, for analysis by The Archibald Company. Alternatively, leak test samples may be collected and/or analyzed by other persons specifically authorized by the Commission or an Agreement State to perform such services.

15. Installation, relocation, removal from service, maintenance, repair, and initial radiation survey of devices containing licensed material and installation, replacement, and disposal of sealed sources containing licensed material used in devices shall be performed only by The Archibald Company, Kay-Ray, or other persons specifically authorized by the Commission or an Agreement State to perform such services.

16. The licensee shall conduct a physical inventory every 6 months to account for all sealed sources received and possessed under the license. The records of the inventories shall be maintained for 2 years from the date of the inventory for inspection by the Commission, and shall include the quantities and kinds of byproduct material, manufacturer's name and model numbers, location of sealed sources and the date of the inventory.

17. Except as specifically provided otherwise by this license, the licensee shall possess and use licensed material described in Items 6, 7, and 8 of this license in accordance with statements, representations, and procedures contained in application received May 1, 1985, and letter dated July 3, 1985. The Nuclear Regulatory Commission's regulations shall govern the licensee's statements in applications or letters, unless the statements are more restrictive than the regulations.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date

**JUL 31 1985**

By

Original Signed By  
Jack E. Whitten

Nuclear Materials Safety Section  
Region IV  
Arlington, Texas 76011

Official Record Copy

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