

03034044

VOID SHEET

Jan 8  
122734

TO: License Fee Management Branch  
FROM: RI  
SUBJECT: VOIDED APPLICATION

Control Number: 122734  
Applicant: Adams County Asphalt  
Date Voided: 09/20/96  
Reason for Void: Licensee no longer wants the new license.  
Has found a buyer & will be in Expired License  
Status. After review, 030-34044  
Reference 37-18356-01/030-14914

Rebecca J. Brown 9/20/96  
Signature Date

Attachment:  
Official Record Copy of  
Voided Action

FOR LFMB USE ONLY

Final Review of VOID Completed:

Refund Authorized and processed

~~No Refund Due~~

Fee Exempt or Fee Not Required

Comments: After Review

Log completed

Processed by: SB

210013

9611210035 960920  
PDR ADOCK 03034044  
C PDR

OFFICIAL RECORD COPY ML 10



# ADAMS COUNTY ASPHALT

~~XXXX ADDRESS AT XXX HARRISBURG, PA XXX 17105~~

030-34044

September 12, 1996

Mr. Frank Costello, Chief  
Regional Materials Safety Branch  
Nuclear Regulatory Commission  
Region 1  
475 Allendale Road  
King Of Prussia, Pennsylvania 19406-1415

Dear Mr. Costello:

Re: Adams County Asphalt Company  
License No. 37-18356-01  
Docket No. 030-14914  
Control No. 122078

To confirm our conversation of this PM, we have not and are not using our three nuclear testing gauges. They are all secured, locked up and we are maintaining that condition.

We have identified a buyer for the gauges but he must get a license which I understand he is attempting to do.

We do not desire to renew our license.

Thank you for your consideration in this matter.

Sincerely,

Robert M. Mumma, II  
President

RMMII/mds

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ML 10

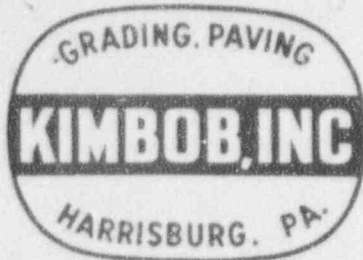
122734

SEP 17 1996

2255

MAILING ADDRESS: 614 N. FRONT STREET • P.O. BOX 1631 • HARRISBURG, PA 17105 • (717) 234-0204  
FAX • (717) 257-5365

FAX REC'D 9/13/96



MS-16  
L3

MAY 17, 1996

United States Nuclear  
Regulatory Commission  
Region 1  
475 Allendale Road  
King of Prussia, PA 19406-1415

Attention: Mr. Eric Reber  
Health Physicist

Re: Kimbob, Inc.

Gentlemen:

We are requesting a "For Storage Only" license for the above named company. All gauges (3) will be stored in a trailer specifically marked for that purpose at Fiddler's Elbow Quarry, N. Union Street, Lower Swatara Township, Middletown, PA.

The locking device key will be maintained by the RSO, who will be Robert M. Mumma II.

We are in the process of having these gauges tested and negotiating for their sale, and they will be in our possession until their disposition, at which time we will confirm that sale to you indicating the licensee/purchaser. We will do inventory monthly until the sale is complete.

Very truly yours,

H. Daniel Beigh  
Administrator

HDB:fh

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122734  
MAY 20 1996

<b>TELEPHONE CONVERSATION RECORD</b>		<b>Date:</b> March 20, 1996	<b>Time:</b> 2:00 pm
<b>Mail Control No.:</b> 122734		<b>License No.:</b>	<b>Docket No.:</b> 030-34044
<b>Person Called:</b> Robert Mumma		<b>Organization:</b> Adams County Asphalt	<b>Telephone Number:</b> (717) 233-6722
<b>Person Calling:</b> Eric H. Reber / (215) 337-5276			
<b>Subject:</b> Adams Co. Asphalt			
<p><b>Summary:</b> Mr. Mumma stated that Adams Co. Asphalt has gone out of business. He also stated that he wants to get rid of the gauges. I informed him that he should act rapidly to transfer the gauges to an authorized recipient and stated that he should call me by the end of the week with his progress. He asked if there was any other way, other than transfer to an authorized recipient, to get rid of the gauges. I stated that the only way to get rid of the gauges was by transfer to an authorized recipient.</p>			
<b>Action Required/Taken:</b>			
<b>Signature:</b> <i>Eric H. Reber</i>		<b>Date:</b> 3/20/96	

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ML 10

FEB 28 1996

Docket No. 030-34044  
Control No. 122734

Robert Mumma  
President  
Adams County Asphalt  
P.O. Box 2255  
Harrisburg, PA 17110

Dear Mr. Mumma:

This is in reference to your license application dated January 4, 1996. In order to continue our review, we need the following additional information:

1. Your application should have been signed by the president of your company rather than H. Daniel Geigh. Please submit a letter signed by your president indicating that he has reviewed the application and concurs in the statements and representations contained therein. Note also that the president should sign all future correspondence which request change in your license.
2. Describe the storage location at Fiddlers Elbow Quarry, 2090 N. Union Street, Middletown, Pennsylvania and submit a diagram showing where the gauge will be stored when not at field locations. The diagram should include the building, the proposed restricted area or areas and adjacent areas, including above and below the restricted areas.
3. Describe the security measures that will be taken during storage of gauges at Fiddlers Elbow Quarry, 2090 N. Union Street, Middletown, Pennsylvania.
4. Describe how gauges will be secured while located in transport vehicles. For example, you may state: "Gauges will be locked in the trunk of a car" or "Gauges will be secured by a lock and chain while in an open bed truck."
5. Please provide management's commitment that the RSO has independent authority to stop unsafe operations and will be given sufficient time to fulfill his or her radiation safety duties and responsibilities. Provide a copy of an organizational chart that shows that the RSO position has direct communication with responsible management officials.
6. Please confirm that the RSO's duties and responsibilities will include those areas listed in Appendix C of Draft Regulatory Guide DG-0008 (copy enclosed). In lieu of submitting the requested description, you may state, "The RSO's duties and responsibilities will be those listed in Appendix C of Draft Regulatory Guide DG-0008."

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ML 10



R. Mumma  
Adams County Asphalt

-2-

7. Provide a commitment that, before an individual is permitted to use a gauge, the individual (a) will have successfully completed a gauge manufacturer's course that meets the criteria in Part I of Appendix D of Draft Regulatory Guide DG-0008 and the course instructor's qualifications meet the criteria in Part II of Appendix D of Draft Regulatory Guide DG-0008, (b) will have been trained in, the your operating and emergency procedures, and (c) will have been designated as an authorized user by the RSO.
8. Confirm that, for each individual trained after you have made the above commitment in an application to NRC, you will maintain records demonstrating that the individual successfully completed a gauge manufacturer's course; that the course meets the criteria in Part I of Appendix D; that the course instructor's qualifications meet the criteria in Part II of Appendix D; that the individual received copies of and was trained in the applicant's operating and emergency procedures; and that the individual was designated as an authorized user by the RSO. These records should be maintained until three years after the individual terminates employment.
9. In you letter dated August 29, 1995, you submitted procedures for performing annual audits of your licensed program. Provide a commitment that the president of your company will review the documented results of the audit promptly after the audit's completion, and a commitment to take prompt action to correct deficiencies identified during audits and to inform all personnel of the deficiencies and the actions management expects its personnel to take to avoid similar deficiencies.

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. 122734. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5276.

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:

Eric H. Reber

Eric H. Reber  
Nuclear Materials Safety Branch 3  
Division of Nuclear Materials Safety

Docket No. 030-34044  
Control No. 122734

Enclosure:  
Draft Regulatory Guide Draft Regulatory Guide DG-0008

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R. Mumma  
Adams County Asphalt

-3-

DOCUMENT NAME: R:\WPS\DLTR\L0303404

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	Reber/eh	ER					
DATE	02/28/96	02/	/96	02/	/96	02/	/96

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# ADAMS COUNTY ASPHALT

PLANT ADDRESS: RT. 30 GETTYSBURG, PA (717) 334-3645

1996 JAN 22 PM 4:24

January 04, 1996

US Nuclear Regulator Commission  
475 Allendale Road  
King of Prussia, Pennsylvania 19406-1415

ATTN: Mr. Eric Reber

RE: License Number 37-18356-01  
Reference Number 030-14914

We respectfully request the renewal of our license as referenced above.

Please advise.

Very Truly Yours,

*H. Daniel Beigh*  
H. Daniel Beigh  
Administrator

cc: File

HDB/mjh

L 18356  
030-34044  
03121

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ML 10


122734

JAN 10 1996

JAN - 4 1996

FAX REC'D



<b>TELEPHONE CONVERSATION RECORD</b>		<b>Date:</b> May 15, 1995	<b>Time:</b> 3:00 pm
<b>Mail Control No.:</b> 122734		<b>License No.:</b>	<b>Docket No.:</b> 030-34044
<b>Person Called:</b> Robert Mumma		<b>Organization:</b> Adams Co. Asphalt	<b>Telephone Number:</b> (717) 233-6722
<b>Person Calling:</b> Eric H. Reber / (215) 337-5276			
<b>Subject:</b> NRC letter dated February 28, 1996			
<b>Summary:</b> I informed Mr. Mumma that no one from Adams Co. Asphalt has returned my calls for the past month. I also informed him that he has to respond to the NRC letter dated February 28, 1996 or properly dispose of his gauges.			
<b>Action Required/Taken:</b>			
<b>Signature:</b> 		<b>Date:</b> 5/15/96	

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ML 10

BETWEEN:

LICENSE FEE MANAGEMENT BRANCH, ARM  
AND  
REGIONAL LICENSING SECTIONS

1996 JAN 18 PM 3:36

(FOR LFMS USE)  
INFORMATION FROM LTS

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

LICENSE FEE TRANSMITTAL

A. REGION I

1. APPLICATION ATTACHED

APPLICANT/LICENSEE: ADAMS COUNTY ASPHALT  
RECEIVED DATE: 960104  
DOCKET NO: 3034044  
CONTROL NO.: 122734  
LICENSE NO.:  
ACTION TYPE: NEW LICENSE

Note: License exp 12/31/95.  
Per RI,  
To RI for Voiding  
(add'l fee not collected)

2. FEE ATTACHED

AMOUNT: -----  
CHECK NO.: -----

3. COMMENTS

SIGNED M. A. Perkins  
DATE 1/13/96

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

1. FEE CATEGORY AND AMOUNT: 3P

2. CORRECT FEE PAID. APPLICATION MAY BE PROCESSED FOR:

AMENDMENT -----  
RENEWAL -----  
LICENSE ✓ -----

3. OTHER -----

SIGNED -----  
DATE -----

1/19/96  
Called H. Beigh to  
advise that his exp 12/31/95,  
so it is ~~considered a renewal~~,  
not a renewal. ltr forthcoming  
requesting \$530 for new app fee.

LS

7 (15)  
H. Daniel Beigh  
L. Daniel Beigh  
4080  
\$290 + 1  
3P  
APP  
11/9/90  
SK

6/9/96  
Received ck  
for and  
fee (\$290)  
although, I  
called on 1/19  
& sent ltr on  
2/1/96 explain-  
ing + advising  
new app fee  
(\$530) was due.

...

BETWEEN:

LICENSE FEE MANAGEMENT BRANCH, ARM  
AND  
REGIONAL LICENSING SECTIONS

1996 JAN 18 PM 3:36

(FOR LFMS USE)  
INFORMATION FROM LTS

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

LICENSE FEE TRANSMITTAL

A. REGION I

1. APPLICATION ATTACHED

APPLICANT/LICENSEE: ADAMS COUNTY ASPHALT  
RECEIVED DATE: 960104  
DOCKET NO: 3034044  
CONTROL NO.: 122734  
LICENSE NO.:  
ACTION TYPE: NEW LICENSE

Note: License exp  
12/31/95.

Per HI,  
To RI for Voiding  
(add'l fee not collected)

2. FEE ATTACHED

AMOUNT: -----  
CHECK NO.: -----

3. COMMENTS

SIGNED  
DATE

M. A. Perkins  
1/13/96

B. LICENSE FEE MANAGEMENT BRANCH (CHECK WHEN MILESTONE 03 IS ENTERED 1 1)

1. FEE CATEGORY AND AMOUNT: 3P

For Spang  
Only

2. CORRECT FEE PAID. APPLICATION MAY BE PROCESSED FOR:

AMENDMENT -----  
RENEWAL -----  
LICENSE ✓ -----

3. OTHER -----

SIGNED  
DATE

-----  
-----

1/19/96

Called H. Bergh to  
advise that his exp 12/31/95,  
so it is ~~considered a renewal~~,  
not a renewal. ltr forthcoming  
requesting \$530 for new app fee.

AS

7 (15)

SEARCHED	INDEXED
SERIALIZED	FILED
JAN 18 1996	
FBI - ADAMS COUNTY	
H. DANIEL BERGH	
L. DANIEL BERGH	
4080	
1290 + 1	
3P	
APP	
11/9/90	
SK	

6/9/96

Received ck

for and  
fee (\$290)

although, I

called on 1/19

& sent ltr on

2/1/96 explain-

ing + advising

new app fee  
(530) was due

## LICENSE FEE REQUIREMENTS

LICENSE FEE AND DEBT COLLECTION BRANCH  
DIVISION OF ACCOUNTING AND FINANCE  
OFFICE OF THE CONTROLLER  
U.S. NUCLEAR REGULATORY COMMISSION  
WASHINGTON, DC 20555-0001

ATTN: BRENSA BROWN

ADAMS COUNTY ASPHALT  
ATTN: H. DANIEL BEIGH  
ADMINISTRATOR  
614 N. FRONT STREET  
P.O. Box 1531  
HARRISBURG, PA 17105

## TYPE OF ACTION

- ☒ NEW LICENSE  
☐ RENEWAL OF LICENSE  
☐ AMENDMENT TO LICENSE

## REQUESTED DATE

LETTER DATED 1/4/96

## LICENSE NUMBER

NEW

## CONTROL NUMBER

122734

## I. APPLICATION FEE DUE

Your request for a licensing action is subject to the fee(s) in the category(ies) noted below in accordance with Section 170.31 of the enclosed Federal Register notice. Payment of the fee is required prior to the issuance of the license, renewal, or amendment.

FEE CATEGORY	APPLICATION	RENEWAL	AMENDMENT
3P	\$ 530	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$

FEE(s) DUE

PAYMENT RECEIVED

AMOUNT DUE

Sent \$ 530

\$ 290

\$ 530

\$ 240 owed

☒ Your request was received without the prescribed application fee.

☐ We received your Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_. Payment of the additional fee noted above is required.

☐ Your request will increase the scope of your license program. Therefore, your request is subject to the application fee(s) noted above. Refer to Section 170.31 and Footnote 1(d)(2).

☐ Your license expired prior to the receipt of your application for renewal. Therefore, your request is subject to the application fee(s) noted above. Refer to Section 170.31 and Footnote 1(a).

MAKE PAYMENT OF THE FEE(S) TO THE U.S. NUCLEAR REGULATORY COMMISSION AND MAIL THE PAYMENT TO THE ADDRESS LISTED AT THE TOP OF THIS FORM. IF WE DO NOT RECEIVE A REPLY FROM YOU WITHIN 30 CALENDAR DAYS FROM THE DATE LISTED BELOW, WE SHALL ASSUME THAT YOU DO NOT WISH TO PURSUE YOUR APPLICATION AND WILL VOID THIS ACTION.

SIGNATURE -- LICENSE FEE ANALYST

LFDCB

LFDCB

BB

2/1/96

1 1

## II. FEE NOT REQUIRED

☐ Enclosed is Check No. \_\_\_\_\_ which accompanied your request. The fee is not required because:

☐ We received your Check No. \_\_\_\_\_ in payment of the fee.

☐ The Licensing staff has informed us that your request is to be considered as a continuation of your request dated \_\_\_\_\_, Control No. \_\_\_\_\_.

☐ Your request was combined, prior to review, with your \_\_\_\_\_ request, Control No. \_\_\_\_\_.

## III. CHECK RETURNED

☐ Enclosed is Check No. \_\_\_\_\_ which was returned to us by the bank for:

- ☐ INSUFFICIENT FUNDS  
☐ ACCOUNT CLOSED  
☐ OTHER

MAIL THE REPLACEMENT CHECK TO THE ADDRESS LISTED AT THE TOP OF THIS FORM AND REFERENCE THE ABOVE CONTROL NUMBER.

## IV. LICENSE ISSUED WITHOUT THE REQUIRED FEE

☐ License No. \_\_\_\_\_, Amendment No. \_\_\_\_\_, issued on \_\_\_\_\_ was issued without the required fee being collected. The fee required is noted in Section I of this form.

☐ The scope of your licensed program was increased. Therefore, your request is subject to the application fee(s) noted in Section I of this form. Refer to Section 170.31 and Footnote 1(d)(2).

☐ Because of the urgency of your request, the license was issued without remittance of the prescribed fee noted in Section I of this form.

DISTRIBUTION  
DC DAF/RF  
LFDCB R/FPending Fee File  
Region I

DATE

2/1/96