

## MATERIALS LICENSE

Amendment No. 02  
CORRECTED COPY

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. David Close Consulting
2. 1412 Willowood Court  
Painesville, OH 44077

In accordance with letter dated  
October 22, 19963. License Number 34-26653-01 is amended in  
its entirety to read as follows:

4. Expiration Date October 31, 2005

5. Docket or  
Reference No. 030-338566. Byproduct, Source, and/or  
Special Nuclear Material

- A. Any byproduct material with Atomic Nos. 3-83, inclusive and Atomic No. 95
- B. Any byproduct material with Atomic Nos. 3-83, inclusive and Atomic No. 95
- C. Cesium-137
- D. Barium-133
- E. Technetium-99m

7. Chemical and/or Physical  
Form

- A. Leak test samples
- B. Sealed sources which have been evaluated and approved by the Commission in accordance with Section 32.210 of 10 CFR Part 32 or equivalent Agreement State requirements).
- C. Sealed sources (New England Nuclear Model Nos. NES-356, NES-360, or NES-367)
- D. Sealed sources (New England Model Nos. NES-358 or NES-367)
- E. Any

8. Maximum Amount that Licensee  
May Possess at Any One Time  
Under This License

- A. See Item 9.A. below
- B. No single source to exceed 0.1 millicurie. Total possession limit not to exceed 1.0 millicurie.
- C. No single source to exceed 250 microcuries. Total possession limit not to exceed 1.0 millicurie.
- D. No single source to exceed 300 microcuries. Total possession limit not to exceed 1.0 millicurie.
- E. 500 millicuries

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**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**

License Number  
34-26653-01

Docket or Reference Number  
030-33863

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9. Authorized Uses:

- A. Possession incident to the performance of tests for leakage and/or contamination on sealed sources and devices containing licensed material as specified in Item 10.4 of application dated May 5, 1995.
- B. through D. To be used for instrument calibration and testing.
- E. To be used for instrument calibration and testing for shielding evaluations.

CONDITIONS

- 10. A. Tests for leakage and/or contamination shall be performed only at temporary job sites of the licensee anywhere in the United States where the Nuclear Regulatory Commission maintains jurisdiction for regulating the use of licensed material. Analysis of leak test samples may be performed at the licensee's facility at 1412 Willowood Court, Painesville, Ohio and 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 the licensed material.
- B. Licensed material listed in Subitem B may be used at the licensee's facility located at 1412 Willowood Court, Painesville, Ohio and may be used anywhere in the United States where NRC maintains jurisdiction for regulating the use of licensed material.
- C. Licensed material listed in Subitems 6.C. through 6.E. may be stored at the licensee's facility located at 1412 Willowood Court, Painesville, Ohio, and may be used at temporary job sites of the licensee anywhere in the United States where the U.S. Nuclear Regulatory Commission maintains jurisdiction for regulating the use of the licensed material.
- 11. Licensed material shall be used by, or under the supervision of, David Close, Samuel A. Pontillo, Margaret M. Horgan, Danny H. Harris, Sharon L. Long and Michael W. Lairmore.
- 12. The Radiation Safety Officer for this license is David Close.
- 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.

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- 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.
- F. The leak 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 in accordance with 10 CFR 30.50(b)(2), 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, ATTN: Chief, Nuclear Materials Safety Branch, 801 Warrenville Road, Lisle, Illinois 60532-4351. The report shall specify the source involved, the test results, and corrective action taken.
- G. Tests for leakage and/or contamination shall be performed by the licensee or by other persons specifically licensed by the Commission or an Agreement State to perform such services.
14. The licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license.

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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 is authorized to transport licensed material only in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
17. The licensee is authorized to hold radioactive material with a physical half-life of less than 65 days for decay-in-storage before disposal in ordinary trash provided:
  - A. Radioactive waste to be disposed of in this manner shall be held for decay a minimum of 10 half-lives.
  - B. Before disposal as ordinary trash, byproduct material shall be surveyed at the container surface with the appropriate survey meter set on its most sensitive scale and with no interposed shielding to determine that its radioactivity cannot be distinguished from background. All radiation labels shall be removed or obliterated.
  - C. A record of each disposal permitted under this License Condition shall be retained for three years. The record must include the date of disposal, the date on which the byproduct material was placed in storage, the radionuclides disposed, the survey instrument used, the background dose rate, the dose rate measured at the surface of each waste container, and the name of the individual who performed the disposal.
18. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. The 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 May 5, 1995; and
  - B. Letters dated September 4, 1995, October 2, 1995, October 15, 1995, July 2, 1996, July 31, 1996, and October 22, 1996.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date 11/13/96

By James Mulhoney  
Nuclear Materials Licensing Branch, Region III

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David Close  
Radiation Safety Officer  
David Close Consulting  
1412 Willowood Court  
Painesville, OH 44077

Dear Mr. Close:

It has come to our attention that Amendment Number 02 to License Number 34-26653-01 issued on October 24, 1996 contained an error.

Enclosed is a corrected copy reflecting item No. 2 noted to be in error. We apologize for any inconvenience this may have caused you.

Sincerely,

Original Signed By  
James R. Mullauer, M.H.S.  
Health Physicist  
Nuclear Materials Licensing Branch

License No.: 34-26653-01  
Docket No.: 030-33856

Enclosure: Corrected Copy of  
Amendment No. 02

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OFFICE	DNMS/BHI									
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DATE	11/4/96									

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