

## 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, 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. Mintech, Inc.
2. 4608 South Garnett, Suite 100  
Tulsa, Oklahoma 74146

In accordance with letter dated  
February 19, 1997

3. License number 35-26876-01 is amended in  
its entirety to read as follows:

4. Expiration date January 31, 2003

5. Docket or  
Reference No 030-29774

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  
(Troxler Dwg. No.  
A-102112)

A. Not to exceed 10  
millicuries per  
source

B. Americium-241

B. Sealed neutron  
sources (Troxler  
Dwg. No. A-102451)

B. Not to exceed 50  
millicuries per  
source

## 9. Authorized use

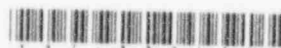
- A. and B. For use in Troxler Model 3400 Series moisture/density gauges for  
measurement of properties of materials.

## CONDITIONS

10. Licensed material may be used at the licensee's facilities located at 4608 South Garnett, Suite 100, Tulsa, Oklahoma, 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 licensed material.
11. A. Licensed material shall only be used by, or under the supervision and in the physical presence of, individuals who have received the training described in application dated February 27, 1992, and have been approved in writing by the Radiation Safety Officer.  
B. The Radiation Safety Officer for this license is Thomas A. Trebonik.

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**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**

PAGE	2	OF	4	PAGES
License Number	35-26876-01			
Docket or Reference Number	030-29774			
Amendment No. 03				

12. 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. 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.
- E. 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 IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011, ATTN: Director, Division of Nuclear Materials Safety. The report shall specify the source involved, the test results, and corrective action taken.

MATERIALS LICENSE  
SUPPLEMENTARY SHEET

License Number

35-26876-01

Docket or Reference Number

030-29774

Amendment No. 03

12. (Continued)

- F. The licensee is authorized to collect leak test samples for analysis by Troxler Electronic Laboratories, Inc.. 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.
13. Sealed sources or detector cells containing licensed material shall not be opened or sources removed from source holders by the licensee.
14. 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.
15. The licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license.
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. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of licensed material to quantities below the minimum limit specified in 10 CFR 30.35(d) for establishing decommissioning financial assurance.
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.

MATERIALS LICENSE  
SUPPLEMENTARY SHEET

License Number

35-26876-01

Docket or Reference Number

030-29774

Amendment No. 03

19. 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 February 27, 1992
  - B. Letter dated August 18, 1992
  - C. Letter dated February 19, 1997

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date FEB 27 1997

Original Signed By  
By Billie Gruszynski

Nuclear Materials Safety Section  
Region IV  
Arlington, Texas 76011



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION IV

611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-8064

February 27, 1997

Mintech, Inc.

ATTN: Thomas A. Trebonik

Radiation Safety Officer

4608 South Garnett, Suite 100

Tulsa, Oklahoma 74146

SUBJECT: LICENSE AMENDMENT

Please find enclosed License No. 35-26876-01, Amendment 03. You should review this license carefully and be sure that you understand all conditions. If you have any questions, you may contact the reviewer who signed your license at (817)860-8120.

NRC expects licensees to conduct their programs with meticulous attention to detail and a high standard of compliance. Because of the serious consequences to employees and the public which can result from failure to comply with NRC requirements, you must conduct your program involving radioactive 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: Inspection and Investigations," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Possess radioactive material only in the quantity and form indicated in your license.
3. Use radioactive material only for the purpose(s) indicated in your license.
4. Notify NRC in writing of any change in mailing address (no fee required if the location of radioactive material remains the same).
5. Request and obtain written NRC consent before transferring your license or any right thereunder, either voluntarily or involuntarily, directly or indirectly, through transfer of control of your license to any person or entity. A transfer of control of your license includes not only a total change of ownership, but also a change in the controlling interest in your company whether it is a corporation, partnership, or other entity. In addition, appropriate license amendments must be requested and obtained for any other planned changes in your facility or program that are contrary to your license or contrary to representations made in your license application, as well as supplemental correspondence thereto, which are incorporated into your license. A license fee may be charged for the amendments if you are not in a fee-exempt category.



6. Maintain in a single document decommissioning records that have been certified for completeness and accuracy listing all the following items applicable to the license:
  - Onsite areas designated or formerly designated as restricted areas as defined in 10 CFR 20.3(a)(14) or 20.1003.
  - Onsite areas, other than restricted areas, where radioactive materials in quantities greater than amounts listed in Appendix C to 10 CFR 20.1001-20.2401 have been used, possessed, or stored.
  - Onsite areas, other than restricted areas, where spills or other unusual occurrences involving the spread of contamination in and around the facility, equipment, or site have occurred that required reporting pursuant to 10 CFR 30.50(b)(1) or (b)(4), including areas where subsequent cleanup procedures have removed the contamination.
  - Specific locations and radionuclide contents of previous and current burial areas within the site, excluding radioactive material with half-lives of 10 days or less, depleted uranium used only for shielding or as penetrators in unused munitions, or sealed sources authorized for use at temporary job sites.
  - Location and description of all contaminated equipment involved in licensed operations that is to remain onsite after license termination.
7. Submit a complete renewal application with proper fee, or termination request at least 30 days before the expiration date on your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of radioactive material after your license expires is a violation of NRC regulations.
8. Request termination of your license if you plan to permanently discontinue activities involving radioactive material.

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; imposition of a civil penalty; or an order suspending, modifying, or revoking your license as specified in the

Mintech, Inc.

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"General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), 60 FR 34381, June 30, 1995.

Thank you for your cooperation.

Sincerely,

Original Signed By  
Billie Gruszynski

Billie Gruszynski (Ms.)  
Nuclear Materials Licensing Branch

Docket: 030-29774  
License: 35-26876-01  
Control: 466322

Enclosures: As stated

Mintech, Inc.

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DOCUMENT NAME: P:\MINTECH.CVR

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

RIV.NMLB	N						
BGruszynski	<i>Bg</i>						
2/27/97							

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

May 23, 1996

MINTECH, INC.  
ATTN: Mr. THOMAS A. TREBONIK  
Radiation Safety Officer

P. O. BOX 150016  
TULSA, OK 74115-0016

SUBJECT: ONE-TIME EXTENSION OF LICENSE EXPIRATION DATE  
LICENSE NUMBER 35-26876-01, DOCKET NUMBER 3029774

Dear Mr. THOMAS A. TREBONIK

On January 16, 1996, the Nuclear Regulatory Commission (NRC) amended its regulations in 10 CFR 30.40, and 70 to extend the expiration date of certain byproduct, source, and special nuclear material licenses by five years (61 FR 1109). The above referenced license was extended by this rulemaking and will now expire on January 31, 2003. Your license will not be amended to show this extended date until the next routine licensing action. Until then, you may provide copies of this letter to vendors and other interested parties as evidence that the license has been extended as a result of the rule.

The extended license authorizes the same activities and contains the same limitations as it previously did. There will be no change in the frequency that the NRC inspects activities authorized by this license.

The amended rules state that in the case of licensees who are granted extensions and who have a currently pending renewal application for that extended license, the application will be considered withdrawn by the licensee and any renewal fees paid by the licensee for that application will be refunded. This will apply to licenses with expiration dates after July 1, 1995, for which renewal applications and the appropriate fees have been submitted and the renewal is still pending. Refunds will be mailed to licensees under separate cover.

All licensees, including those whose renewal applications were withdrawn by this rulemaking, who wish to change their radiation safety programs must request amendment of their licenses to reflect these changes. Amendment requests must include the correct amendment fee since the NRC cannot apply pending renewal refund balances toward amendment fees.

If you have any questions regarding this letter, please contact the individual below.

Arlington, TX: Billie Gruszynski, (817) 860-8120  
Walnut Creek, CA: Beth Prange, (510) 975-0250

Thank you for your cooperation in this matter.

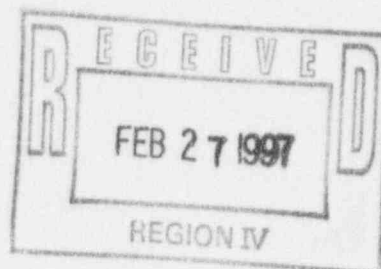
Sincerely,

A handwritten signature in dark ink, appearing to read "Don Cool", is written over the word "Sincerely,".

Donald A. Cool, Director  
Division of Industrial and Medical Nuclear Safety  
Office of Nuclear Materials Safety and Safeguards

February 24, 1997

Ms Billie Gruszynski  
U.S. Nuclear Regulatory Commission  
Region IV  
Material Radiation Section  
611 Ryan Plaza Drive, Suite 400  
Arlington TX 76011-8064



Re: Amendment to Material License for Mintech, Inc.  
License No. 35-26876-01

Dear Ms. Gruszynski:

I am sorry to have overlooked signing the enclosed letter. I hope this has not caused you significant inconvenience.

Sincerely,

*Daryl Worley*  
Daryl Worley, E.I.  
Project Engineer

Enclosures

DLW



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION IV

611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-8064

February 21, 1997

Mintech, Inc.  
ATTN: Daryl Worley, E.I.  
Project Engineer  
4608 S. Garnett, Suite 100  
Tulsa, Oklahoma 74146

SUBJECT: ACKNOWLEDGMENT OF REQUEST FOR LICENSING ACTION

REFERENCE: LETTER DATED FEBRUARY 19, 1997

We have completed the administrative review and initial processing of your application.

During the initial processing, omissions were identified. These include: The letter was unsigned and is being returned to you for appropriate signature. The identified information should be provided within 30 days of the date of this letter so that your request can be forwarded for technical review. Please note that the technical review may identify additional omissions in the submitted information or technical issues that require additional information.

Amendment actions are normally processed within 60 days, unless the technical review identifies:

- Major technical deficiencies
- Decommissioning/decontamination activities are required before an application can be completed
- Confirmatory closeout surveys after decontamination/decommissioning activities are required before a license can be terminated or a facility removed from the license
- Policy issues are identified that require input and coordination with other NRC Regional offices, Agreement State offices, or NRC's Office of Nuclear Materials and Safeguards

A copy of your correspondence has been forwarded to our License Fee and Accounts Receivable Branch, Office of the Controller, who will contact you separately if the appropriate license fee has not been submitted for your request, or for billing if your request is subject to full cost recovery.

Mintech, Inc.

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Any correspondence about this application should reference the Control number listed below.

Sincerely,

Original Signed By  
Billie Gruszynski

Billie Gruszynski (Ms.)  
Nuclear Materials Licensing Branch

License: 35-26876-01  
Docket: 030-29774  
Control: 466322

Enclosures:  
As stated

FEB 21 1997

Mintech, Inc.

-3-

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	RIV:NMLB	N					
NAME	BGruszynski	<i>Bg</i>					
DATE	2/2/97						

(FOR LEADS USE)  
INFORMATION FROM LTS

BETWEEN:

License Fee Management Branch, ARM  
and  
Regional Licensing Sections

Program Code: 03121  
Status Code: 0  
Fee Category: 3P  
Exp. Date: 20030131  
Fee Comments:  
Decom Fin Assur Regd: N

LICENSE FEE TRANSMITTAL

A. REGION IV

1. APPLICATION ATTACHED  
Applicant/Licensee: MINTECH, INC.  
Received Date: 9/02/97  
Docket No: 3029774  
Control No.: 466322  
License No.: 35-26876-01  
Action Type: Amendment

2. FEE ATTACHED \$300.00  
Amount:  
Check No.: 224217

3. COMMENTS

Signed  
Date

Billie Gussynski  
2/21/97

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

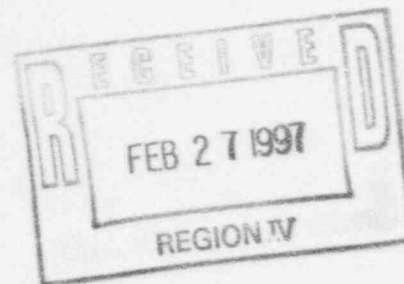
1. Fee Category and Amount: 3P \$300

2. Correct Fee Paid. Application may be processed for:  
Amendment ☒  
Renewal ☐  
License ☐

3. OTHER

Signed  
Date

Aita Mafser  
2/25/97



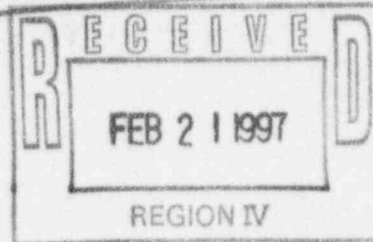
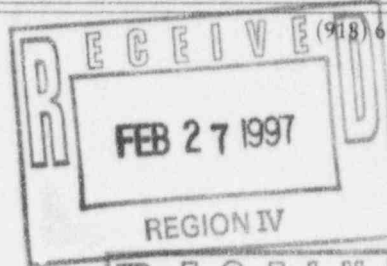
Log	<u>Feb 2 IV</u>
Remitter	
Check No.	<u>024217</u>
Amount	<u>\$300</u>
Fee Category	<u>3P</u>
Type of Fee	<u>Amal</u>
Date Check Rec'd.	<u>2/25/97</u>
Date Completed	<u>2/25/97</u>
By:	<u>Alm</u>

1097 FEB 24 PM 1:23



February 19, 1997

Ms Billie Gruszynski  
U.S. Nuclear Regulatory Commission  
Region IV  
Material Radiation Section  
611 Ryan Plaza Drive, Suite 400  
Arlington TX 76011-8064



Re: Amendment to Material License for Mintech, Inc.  
License No. 35-26876-01

Dear Ms. Gruszynski:

On behalf of Mintech, Inc., I am requesting an amendment of our license No. 35-26876-01. The above license is a license to own and operate a Troxler Model 3440 Surface Moisture Density Gauge.

Effective November 1, 1996 the offices of Mintech, Inc. were relocated. The new physical and mailing address is:

Mintech, Inc.  
4608 South Garnett, Suite 100  
Tulsa, OK 74146  
Telephone 918-641-0700

Attached to this letter is a sketch of the new storage location for the Troxler Gauge. Please note the gauge is stored in a locked equipment room inside a locked storage cabinet. Only authorized users of the gauge have access to the locked storage cabinet, and a limited number of personnel have access to the equipment room.

Enclosed with this correspondence is a check in the amount of \$300.00 for the fee to amend the license.

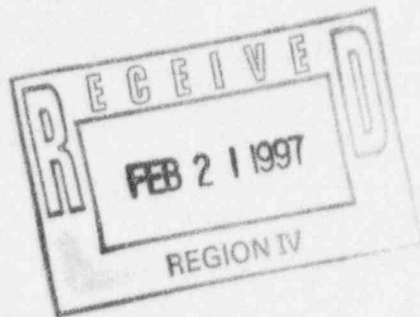
If you have questions concerning this request to amend License No. 35-26876-01 please feel free to contact Mr. Thomas Trebonik, the president of Mintech or me.

Sincerely,

*Daryl Worley*  
Daryl Worley, E.I.  
Project Engineer

Enclosures

DLW



GAUGING DEVICE  
STORAGE LOCATION

15 Foot Radius

OFFICE

OFFICE

EQUIPMENT ROOM

FILE  
STORAGE AREA

BUILDING  
MECHANICAL ROOM

COMMON (BUILDING)  
BREAK ROOM

FILE STORAGE AREA

MONITORING DEVICE  
STORAGE AREA

FLOOR PLAN



EXCHANGE CENTER WEST 1ST FLOOR  
**MINTECH, INC.**  
REALTY OPERATING COMPANY

Integrated  
Space Design, Inc.

466322

SHEET  
A-1

DATE  
1-1-97

FILE NAME  
010000.DWG