

030-22313

L+L-20901

NRC FORM 313

(1-84)

10 CFR 32, 32.33, 34,
35 and 40

U.S. NUCLEAR REGULATORY COMMISSION

APPROVED BY OMB

3150-0120

Expires: 5-31-87

APPLICATION FOR MATERIAL LICENSE 03121

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.

FEDERAL AGENCIES FILE APPLICATIONS WITH:

U.S. NUCLEAR REGULATORY COMMISSION
DIVISION OF FUEL CYCLE AND MATERIAL SAFETY, NMSS
WASHINGTON, DC 20555

ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS, IF YOU ARE
LOCATED IN:

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

U.S. NUCLEAR REGULATORY COMMISSION, REGION I
NUCLEAR MATERIAL SECTION 8
631 PARK AVENUE
KING OF PRUSSIA, PA 19406

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

U.S. NUCLEAR REGULATORY COMMISSION, REGION II
MATERIAL RADIATION PROTECTION SECTION
101 MARIETTA STREET, SUITE 2900
ATLANTA, GA 30323

IF YOU ARE LOCATED IN:

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

U.S. NUCLEAR REGULATORY COMMISSION, REGION III
MATERIALS LICENSING SECTION
750 ROOSEVELT ROAD
GLEN ELLYN, IL 60137

ARKANSAS, COLORADO, IDAHO, KANSAS, LOUISIANA, MONTANA, NEBRASKA,
NEW MEXICO, NORTH DAKOTA, OKLAHOMA, SOUTH DAKOTA, TEXAS, UTAH,
OR WYOMING, SEND APPLICATIONS TO:

U.S. NUCLEAR REGULATORY COMMISSION, REGION IV
MATERIAL RADIATION PROTECTION SECTION
611 RYAN PLAZA DRIVE, SUITE 1000
ARLINGTON, TX 76011

ALASKA, ARIZONA, CALIFORNIA, HAWAII, NEVADA, OREGON, WASHINGTON,
AND U.S. TERRITORIES AND POSSESSIONS IN THE PACIFIC, SEND APPLICATIONS
TO:

U.S. NUCLEAR REGULATORY COMMISSION, REGION V
MATERIAL RADIATION PROTECTION SECTION
1450 MARIA LANE, SUITE 210
WALNUT CREEK, CA 94596

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 JURISDICTION.

1. THIS IS AN APPLICATION FOR (Check appropriate item)

- ☒ A. NEW LICENSE
☐ B. AMENDMENT TO LICENSE NUMBER _____
☐ C. RENEWAL OF LICENSE NUMBER _____

2. NAME AND MAILING ADDRESS OF APPLICANT (Include Zip Code)

Bear Creek Construction Co.
P.O. Box 188
Landisville, Pa., 17538

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

Storage Location: Bear Creek Constr. Co. Temporary throughout Pennsylvania
Yard Office
Old Harrisburg Pike
Salunga, Pa. Jobsites: Wherever Nuclear Comp-
action test required by Penna.
Dept. of Transportation

4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

Thomas R. Kahler, P.E.

TELEPHONE NUMBER

(717) 898-2211

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.

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

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

8512030246 850911

9. FAC REG1 LIC30

37-20901-01

PDR

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

10. RADIATION SAFETY PROGRAM.

11. WASTE MANAGEMENT.

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

FEE CATEGORY 3P AMOUNT ENCLOSED \$ 230.00

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

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, 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, 1948, 62 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.

SIGNATURE—CERTIFYING OFFICER

TYPED/PRINTED NAME

TITLE

DATE

Thomas R. Kahler

Thomas R. Kahler

P.E.

8/9/85

14. ANNUAL RECEIPTS

<\$250K	\$1M-3.5M
\$250K-500K	\$3.5M-7M
\$500K-750K	\$7M-10M
\$750K-1M	>\$10M

b. NUMBER OF EMPLOYEES (Total for
entire facility excluding outside contractors)

c. NUMBER OF BEDS

d. WOULD YOU BE WILLING TO FURNISH COST INFORMATION (Dollar and/or staff hours)
ON THE ECONOMIC IMPACT OF CURRENT NRC REGULATIONS OR ANY FUTURE
PROPOSED NRC REGULATIONS THAT MAY AFFECT YOU? (NRC regulations permit
it to protect confidential commercial or financial—proprietary—information furnished to
the agency in confidence)

☒ YES ☐ NO

FOR NRC USE ONLY

TYPE OF FEE

FEE LOG

FEE CATEGORY

COMMENTS

APPROVED BY

APP

Aug-24-85

3P

"OFFICIAL RECORD COPY"

J. Jackson

AMOUNT RECEIVED

CHECK NUMBER

\$230

101457

04257

DATE

8/30/85

ML10

AUG 14 1985

PRIVACY ACT STATEMENT

Pursuant to 5 U.S.C. 552a(e)(3), enacted into law by section 3 of the Privacy Act of 1974 (Public Law 93-579), the following statement is furnished to individuals who supply information to the Nuclear Regulatory Commission on NRC Form 313. This information is maintained in a system of records designated as NRC-3 and described at 40 Federal Register 45334 (October 1, 1975).

1. **AUTHORITY:** Sections 81 and 161(b) of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2111 and 2201(b)).
2. **PRINCIPAL PURPOSE(S):** The information is evaluated by the NRC staff pursuant to the criteria set forth in 10 CFR Parts 30, 32, 33, 34, 35 and 40 to determine whether the application meets the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations, for the issuance of a radioactive material license or amendment thereof.
3. **ROUTINE USES:** The information may be (a) provided to State health departments for their information and use; and (b) provided to Federal, State, and local health officials and other persons in the event of incident or exposure, for their information, investigation, and protection of the public health and safety. The information may also be disclosed to appropriate Federal, State, and local agencies in the event that the information indicates a violation or potential violation of law and in the course of an administrative or judicial proceeding. In addition, this information may be transferred to an appropriate Federal, State, or local agency to the extent relevant and necessary for an NRC decision or to an appropriate Federal agency to the extent relevant and necessary for that agency's decision about you.
4. **WHETHER DISCLOSURE IS MANDATORY OR VOLUNTARY AND EFFECT ON INDIVIDUAL OF NOT PROVIDING INFORMATION:** Disclosure of the requested information is voluntary. If the requested information is not furnished, however, the application for radioactive material license, or amendment thereof, will not be processed. A request that information be held from public inspection must be in accordance with the provisions of 10 CFR 2.790. Withholding from public inspection shall not affect the right, if any, of persons properly and directly concerned need to inspect the document.
5. **SYSTEM MANAGER(S) AND ADDRESS:** U.S. Nuclear Regulatory Commission
Director, Division of Fuel Cycle and Material Safety
Office of Nuclear Material Safety and Safeguards
Washington, D.C. 20555

RECEIVED
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U.S. NRC
100 FEE NIGHT BRANCH

TROXLER ELECTRONIC LABORATORIES, INC.

HEREBY CERTIFIES THAT

STUART GUSTI

of

BEAR CREEK CONSTRUCTION COMPANY

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 | |

Michael E. Aubrey
INSTRUCTOR

7/30/85

DATE

W.F. TROXLER

PRESIDENT

№ 11449



BEAR CREEK CONSTRUCTION CO.

LANDISVILLE, PENNSYLVANIA 17538

Application for Material License

U.S. Nuclear Regulatory Commission

5. Radioactive Material

- a. Element and mass number
 1. CS-137
 2. Am-241 :BE
- b. Chemical and/or physical form
 1. Special form, Troxler Drawing #, A-102112
 2. Special form, Troxler Drawing #, A-102451
- c. Maximum amount which will be possessed at any one time.
 1. Not to exceed 9 mCi per source.
 2. Not to exceed 44 m Ci per source.

6. Purpose (s) For Which Licensed Material Will Be Used.

To be used in Troxler Model 3400 Series Surface Moisture/
Density Gauge.

7. Stuart L. Gusti will be the individual responsible for the use and safe storage of the Troxler gauge above. Stuart Gusti received the Troxler Nuclear Gauge Training course on July 30, 1985 in Baltimore, Maryland. (Copy of Certification attached).
8. Stuart Gusti listed in 7. above has attended the Troxler training seminar and Thomas R. Kahler in 4. above can be contacted concerning the operator's training and certificate.
9. The gauge will be stored when not in use in its Troxler transportation case in a locked unoccupied basement storage area at Bear Creek Construction Co. yard office. The key to the storage area will be kept by Stuart L. Gusti and Lee Holbein, Yard Manager. Lee Holbein's office is the only occupied area in this vicinity and is located one story above the storage location and occupied 1/3 of the time.
10. (On Separate Pages).
11. Disposal of radioactive material will be accomplished through the manufacturer - Troxler Electronic Laboratories, Inc.
12. Fee category 3P Amount enclosed \$230.00.
13. Thomas R. Kahler, Professional Engineer



BEAR CREEK CONSTRUCTION CO.

LANDISVILLE, PENNSYLVANIA 17538

BEAR CREEK CONSTRUCTION CO.

TROXLER NUCLEAR COMPACTION GAUGE

RADIATION SAFETY PROGRAM

1. Radiation Safety Officer

A. Stuart L. Gusti has been designated as the company Radiation Safety Officer and will assume the duties and responsibilities that include the following:

1. To ensure that all terms and conditions of the license are being met and that the information contained in the license is up-to-date.
2. To ensure that the equipment has been leak tested in the required timely manner and that the leak test is performed in the manner prescribed by the equipment manufacturer.
3. To ensure that the use of the equipment is only by individuals that have been authorized by the Radiation Safety Officer and that all users wear personnel monitoring equipment when utilizing the equipment.
4. To maintain the records as required by the license and the regulations. These records shall include personnel exposure records, leak test records and training certificates for all users.
5. To ensure that the equipment is properly secured against unauthorized removal at all times when it is not in use.
6. To serve as a point of contact and give assistance in case of emergency such as equipment damaged in the field or theft and to notify the proper authorities in case of emergency.
7. To ensure that all users have read and understand the radiation safety operating and emergency procedures.
8. To post NRC notice to employees in a highly visible area.
9. To post "Caution Radioactive Material" sign on storage location.

2. Operating Procedures

1. All possible means shall be provided to ensure that the



BEAR CREEK CONSTRUCTION CO.

LANDISVILLE, PENNSYLVANIA 17538

Page Two

RADIATION SAFETY PROGRAM

Equipment is fully secured in the transporting vehicle and the equipment is away from the passenger compartment. When transporting in an enclosed vehicle (car or van), the vehicle will be locked. When transporting in an open bed vehicle, the gauge should be securely fastened and locked to the truck bed.

2. The gauge will be transported in the TROXLER transportation case. The U.S. Department of Transportation requires that the gauge be transported in a properly labeled carrying case.
3. At all times during transport, the operator will have a properly completed Bill of Lading for the gauge.
4. A utilization log book will be kept at the storage location to control the gauge's destinations to and from its designated storage area.

B. Utilization Procedures

1. When the gauge is in the field, the operator as the authorized user must maintain control over the gauge at all times. The gauge must never be left unattended.
2. When not making measurements, the gauge should be placed in the transportation case and returned to its permanent storage area as soon as possible. The gauge is to be used for its intended purpose only. By doing so, the operator will maintain any radiation exposure to as low as reasonably attainable.
3. When using the equipment, the operator will wear the personnel monitoring device that has been assigned. When the operator is not using the equipment, the monitoring device is to be stored in the radiation free area that has been designated in the office. R.S. Landauer Jr., & Co. will supply the film badges - Type B1 which monitor both gamma and neutron radiation. Exchange frequency will be monthly with quarterly reports posted on exposure levels received by the operator.

C. Maintenance and Leak Test Procedures

1. Periodic maintenance will include cleaning the gauge. During any maintenance, you must wear your personnel monitoring device.
2. No maintenance will be performed in which the radioactive source is removed from the gauge. For this type of maintenance, the gauge will be returned to the manufacturer.



BEAR CREEK CONSTRUCTION CO.

LANDISVILLE, PENNSYLVANIA 17538

Page Three

RADIATION SAFETY PROGRAM

3. The leak test will be performed using the TROXLER Model 3880 Leak Test Kit. The leak test will be performed using the manufacturer's instructions. Again, the personnel monitoring device will be employed. Gauges will be leak tested at intervals not to exceed six (6) months.
3. Emergency Procedures
 - A. In the event of physical damage to a gauge, the following will be performed:
 1. Immediately cordon off an area around the gauge. An area radius of 15 feet will be sufficient.
 2. If a vehicle is involved, it must be stopped until the extent of contamination, if any, can be established.
 3. A visual inspection of the gauge is to be made to determine if the source housing and/or shielding has been damaged.
 - B. A copy of these procedures will be kept with the gauge along with emergency telephone numbers.

BETWEEN: William O. Miller, Chief
License Fee Management Branch
Office of Administration

John E. Glenn, Chief
Nuclear Materials Section B
Division of Engineering and
Technical Programs

LICENSE FEE TRANSMITTAL

A. REGION I

1. APPLICATION ATTACHED

Applicant/Licensee: Bear Creek Construction Co.

Application Dated: 8/9/85

Control No.: 04257

License No.: New

2. FEE ATTACHED

Amount: \$ 230.00

Check No.: 010457

3. COMMENTS

Signed Brenda Platchek

Date 8/15/85

B. LICENSE FEE MANAGEMENT BRANCH

1. Fee Category and Amount: _____

2. Correct Fee Paid. Application may be processed for:

Amendment _____

Renewal _____

License ✓ _____

Signed Arthur Jacques A.D.

Date 8/30/85

"SECTION COPY"

BEAR CREEK CONSTRUCTION CO., P.O. BOX 188, LANDISVILLE, PENNSYLVANIA 17538

CHECK STUB NO.

YOUR INVOICE NO.	INVOICE DATE	AMOUNT	DISCOUNT	NET AMOUNT	CHECK TOTAL
Materials License				230.00	



BEAR CREEK CONSTRUCTION CO.

P.O. BOX 188
LANDISVILLE, PENNSYLVANIA 17538

CHECK NO. 010457



DATE 8/12/85

AMOUNT OF CHECK

230.00

VOID AFTER 30 DAYS

PAY TO THE ORDER OF

U.S. Nuclear Regulatory Commission
Region 1 - Nuclear Material Section B
631 Park Ave.
King of Prussia, Penna. 19406

Harry M. [Signature]
Ray T. [Signature]
AUTHORIZED SIGNATURES

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