

MATERIALS LICENSE

Amendment No. 08

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.

OFFICIAL RECORD COPY

Licensee

1. Barletta Materials & Construction, Inc.

2. P. O. Box 10
Hazleton, Pennsylvania 18201In accordance with the letter dated
November 20, 1996,3. License Number 37-18410-01 is amended in
its entirety to read as follows:

4. Expiration Date November 30, 2004

5. Docket or
Reference No. 030-15032/37-18394-016. Byproduct, Source, and/or
Special Nuclear Material7. Chemical and/or Physical
Form8. Maximum Amount that Licensee
May Possess at Any One Time
Under This LicenseA. Cesium 137
B. Americium 241A. Sealed sources
B. Sealed neutron sourcesA. 100 millicuries
B. 1000 millicuries

9. Authorized use

A. and B. For possession and use in Troxler Electronic Laboratories, Inc., Campbell Pacific Nuclear Corp., Humboldt Scientific, Inc., Seaman Nuclear Corporation, or Soiltest, Incorporated devices which have been evaluated and approved for licensing purposes under a license issued by the U.S. Nuclear Regulatory Commission or any Agreement State.

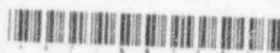
CONDITIONS

10. Licensed material may be stored at the licensee's facilities located at Route #924 and RD #1, Hazleton, Pennsylvania, Route #93, Nescopeck, Pennsylvania, and Route 209, Tamaqua, Pennsylvania and may be used only 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 Jeff Judge, George Kairis, James R. Smith, Jr., and John Rodriguez, or individuals who have successfully completed the manufacturer's training program for gauge users, have been instructed in the licensee's routine and emergency operating procedures and who have been designated in writing by the Radiation Safety Officer.

B. The Radiation Safety Officer for this license is George Kairis.

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PDR ADOCK 03015032
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**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number

37-18410-01

Docket or Reference Number

030-15032/37-18394-01

Amendment No. 08

12. A. Sealed sources and detector cells containing licensed material shall be tested for leakage and/or contamination at intervals not to exceed six months or at such other intervals as are specified by the certificate of registration referred to in 10 CFR 32.210, not to exceed three years.
- 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 three months.
- C. In the absence of a certificate from a transferor indicating that a leak test has been made within six 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 and detector cells 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 transfer 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 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 and the source or detector cell shall be removed immediately from service and decontaminated, repaired, or disposed of in accordance with Commission regulations. The report shall be filed within five days of the date the leak test result is known with the U.S. Nuclear Regulatory Commission, Region I, ATTN: Director, Division of Nuclear Materials Safety, 475 Allendale Road, King of Prussia, Pennsylvania 19406. The report shall specify the source or detector cell involved, the test results, and corrective action taken.
- G. The licensee is authorized to collect leak test samples for analysis by Troxler Electronics 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.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number

37-18410-01

Docket or Reference Number

030-15032/37-18394-01

Amendment No. 08

13. Sealed sources or detector cells containing licensed material shall not be opened or sources removed from source holders by the licensee.
14. The licensee shall conduct a physical inventory every six months to account for all sealed sources and devices containing licensed material received and possessed under the license.
15. The licensee shall not acquire licensed material in a sealed source or device unless the source or device has been registered with the U.S. Nuclear Regulatory Commission pursuant to 10 CFR 32.210 or equivalent regulations of an Agreement State.
16. 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.
17. 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.
18. The licensee is authorized to transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
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 21, 1989
 - B. Letter dated March 8, 1993
 - C. Application dated September 21, 1994
 - D. Letter dated November 7, 1994
 - E. Letter dated November 20, 1996

MAR - 5 1997

Date _____

For the U.S. Nuclear Regulatory Commission

Original Signed By:

Steven R. Courtemanche

By

Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406

MAR - 5 1997

Mr. Anthony Barletta
President
Barletta Materials & Construction, Inc.
P. O. Box 10
Hazleton, PA 18201

SUBJECT: REQUEST FOR CONSENT TO TRANSFER OF CONTROL

Dear Mr. Barletta:

This refers to your letter dated November 20, 1996 describing the proposed transfer of Lehigh Asphalt Paving and Construction Company, Inc.'s (Lehigh) licensed activities to your control. From your letter, we understand that this transfer will not result in any change to the licensed name or materials. We also understand that you are adding Lehigh's location of storage to your license, that authorized users under Lehigh's license are properly trained in accordance with your license, and that Mr. George Kairis shall be responsible for radiation safety at Lehigh's licensed facility.

Based on the above understandings, we have no objection to this transfer. Future changes in the licensed name, use, location, persons responsible for licensed material require submission of a request to amend the license. NRC approval must be received prior to implementation of the proposed change.

Please note that as part of this amendment the one-time extension of your expiration date has been granted in accordance with the Federal Register (61 FR 1109) issued January 16, 1996. Your new expiration date is stated in Item 4 of the license.

Thank you for your cooperation in this matter.

Sincerely,

Original Signed By:
Steven R. Courtemanche

Steven R. Courtemanche
Division of Nuclear Materials Safety

License No. 37-18410-01
Docket No. 030-15032
Control No. 123942

Enclosure:
Amendment No. 08

A. Barletta
Barletta Materials and Construction, Inc.

-2-

DOCUMENT NAME: R:\WPS\MLTR\L3718410.01

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	<input checked="" type="checkbox"/> N	DNMS/RI	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NAME	SCourtemanche/src						
DATE	02/27/97		02/ /97		02/ /97		02/ /97

OFFICIAL RECORD COPY

TELEPHONE CONVERSATION RECORD	Date: 02/27/97	Time: 09:30
Mail Control No.: 123942 and 123943	License Nos.: 37-18410-01 and 37-18394-01	Docket Nos.: 030-15032 and 030-14997
Person Called: Daryl Zubey of Lehigh Asphalt and George Kairis of Barletta Materials	Licensees: Lehigh Asphalt and Barletta Materials	Telephone Nos.: (717)668-4303 and (717)455-1511
Person Calling: Steven Courtemanche/(610) 337-5075		
Subject: Transfer of licensed activities from Lehigh Asphalt to Barletta Materials		
<p><u>Summary:</u> Ms. Zubey provide the following information concerning the transfer of licensed activities:</p> <ol style="list-style-type: none"> 1. Lehigh has always possessed the one gauge which they currently possess, 2. The gauge has always been stored in the location depicted in the amendment request from Barletta, 3. The gauge has always been leak tested March and September of each year and has never been shown to have a leaking source, 4. The licensee has a complete set of records which they will be turning over to Barletta after the transfer is completed. <p>Mr. Kairis stated that they have 3 gauges currently under their license (i.e., Two moisture density gauges and one roof gauge) not counting the one from Lehigh. Mr. Kairis also stated that the list of individuals on the license is accurate. I informed him of the information that Ms. Zubey had given me and that I would not be adding the names of the Lehigh authorized users to the license since they had attended the manufacturer's training course and they have a generic license.</p>		
<p>Action Required/Taken: File with both licensing actions.</p>		
<p>Signature: <i>Steven R. Courtemanche</i> Date: 02/27/97</p>		

BARLETTA
Materials & Construction, Inc.

SAND & STONE • ASPHALT & PAVING

P.O. Box 10, HAZLETON, PA 18201
PHONE: (717) 455-1511
FAX: (717) 455-7767

November 20, 1996

U.S. NRC Region #1
475 Allendale Road
King of Prussia, PA 19406
ATTN: Steve Courtemanche

RE: Nuclear License No. 37-18410-01
Docket / Reference No. 030-15032

Dear Mr. Courtemanche:

Our firm, Barletta Materials & Construction, Inc., herewith requests an amendment to our above referenced U.S. NRC materials license.

We would like to add Lehigh Asphalt Paving & Construction Co., Inc., Route 209, PO Box 549, Tamaqua, PA 18252 to our license. Upon completion of this amendment, the current license of Lehigh Asphalt Paving & Construction Co., Inc. will be terminated and all associated paperwork and regulations per the Barletta license will be adhered to by Lehigh.

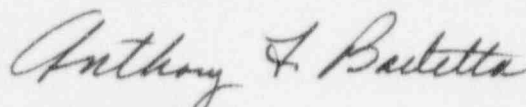
The RSO for Lehigh Asphalt Paving will be George Kairis of Barletta Materials & Construction, Inc. and he will be responsible for meeting all requirements mandated by the NRC.

Enclosed please find copies of the successfully completed training course for the use of nuclear testing equipment by the persons at Lehigh Asphalt, a sketch of the location where the nuclear testing equipment will be stored, and a check in the amount of \$300.00 as payment of the amendment fee.

If you have any questions concerning this amendment request, please contact George Kairis at (717) 455-1511.

Thank you for your time and cooperation in this matter.

Very truly yours,



Anthony F. Barletta
President

123942

NOV 25 1996

LEHIGH ASPHALT 1ST FLOOR

2ND FLOOR IS ALL OFFICE SPACE



123942

TROXLER ELECTRONIC LABORATORIES, INC.

HEREBY CERTIFIES THAT

SCOTT W. DMYTROW

of

LEHIGH ASPHALT PAVING

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 | |

CERTIFICATE #: 060369

FRANK D. JONES

10/12/93

WILLIAM F. TROXLER

INSTRUCTOR

DATE

PRESIDENT

TROXLER ELECTRONIC LABORATORIES, INC.

HEREBY CERTIFIES THAT

JEFFREY SELL

of

LEHIGH ASPHALT & PAVING

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:

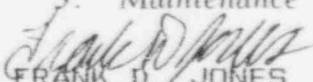
Radiological Safety

- | | |
|--|---|
| 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 | |

CERTIFICATE #: 074395


FRANK D. JONES

INSTRUCTOR

8/06/96

DATE

WILLIAM F. TROXLER

PRESIDENT

TROXLER ELECTRONIC LABORATORIES, INC.

HEREBY CERTIFIES THAT

RUSSELL WASHOUSKY

of

LEHIGH ASPHALT & PAVING

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.
2. Leak testing procedures.
3. Mathematics and calculations basic to the use and measurement of radioactivity.
4. Biological effects of radiation.
5. Radioactivity measurement standardization and monitoring techniques and instruments.
6. Accident and incident procedures.
7. Procedures for nuclear gauge storage and transportation.
8. General safety precautions.

Gauge Operation

1. Instrument theory
2. Operating procedures
3. Maintenance
4. Field application
5. Gauge calibration

CERTIFICATE #: 074396


FRANK D. JONES
INSTRUCTOR

8/06/96
DATE

WILLIAM F. TROXLER
PRESIDENT

BETWEEN:

LICENSE FEE MANAGEMENT BRANCH, ARM
AND
REGIONAL LICENSING SECTIONS

(FOR LFMS USE)
INFORMATION FROM LTS

PROGRAM CODE: 03121
STATUS CODE: 0
FEE CATEGORY: 3P
EXP. DATE: 20041130
FEE COMMENTS:
DECOM FIN ASSUR REQD: N

LICENSE FEE TRANSMITTAL

A. REGION

1. APPLICATION ATTACHED

APPLICANT/LICENSEE: BARLETTA MATERIALS & CONST., INC.
RECEIVED DATE: 961125
DOCKET NO: 3015032
CONTROL NO.: 123942
LICENSE NO.: 37-18410-01
ACTION TYPE: AMENDMENT

2. FEE ATTACHED

AMOUNT: \$ 300.00
CHECK NO.: 2262

3. COMMENTS

Reference 123943

SIGNED
DATE

R. J. Brown
12/04/96

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

1. FEE CATEGORY AND AMOUNT: 3P

9300

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

AMENDMENT
RENEWAL
LICENSE

3. OTHER

SIGNED
DATE

[Signature]
[Date]

1996 DEC -9 AM 3:05

Dec 8
2262
\$300
3P
ARM
12/11/96
BB

Also see
123943