

CORRECTED COPY

## 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, 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.

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Licensee		
1. Construction Testing, Inc.		3. License Number 37-28678-01
2. 925 North Jerome Street Allentown, Pennsylvania 18103		4. Expiration Date September 30, 2001
		5. Docket or Reference No. 030-32431
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 B. Americium 241	A. Sealed sources B. Sealed neutron sources	A. 100 millicuries B. 500 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 925 North Jerome Street, Allentown, 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 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 Michael C. Demyan.
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.

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**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**

License number

37-28678-01

Docket or Reference number

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CORRECTED COPY

- 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 CPN Corporation. 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. 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.

**MATERIALS LICENSE  
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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 June 27, 1991
  - B. Letter dated August 26, 1991

For the U.S. Nuclear Regulatory Commission

**Original Signed By:**

**Duncan White**

By

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

Date

JUN - 4 1997

JUN - 4 1997

Michael C. Demyan  
Radiation Safety Officer  
Construction Testing, Inc.  
925 North Jerome Street  
Allentown, Pennsylvania 18103

Dear Mr. Demyan:

Enclosed is the Corrected Copy of License No. 37-28678-01. In accordance with the telephone conversation on June 2, 1997 with Duncan White of this office, the possession limits in Item 8 for Cesium 137 and Americium 241 were corrected to read 100 millicuries and 500 millicuries, respectively. Please note that as part of this Corrected Copy, in accordance with 10 CFR 30.36, effective February 15, 1996, the expiration date of your license has been extended by a period of 5 years. Your new expiration date is stated in Item 4 of the license.

We apologize for any inconvenience this error may have caused.

Sincerely,

ORIGINAL SIGNED BY:  
JENNY M. JOHANSEN

Jenny M. Johansen, Chief  
Nuclear Materials Safety Branch 3  
Division of Nuclear Materials Safety

License No. 37-28678-01  
Docket No. 030-32431  
Control No. 114882

Enclosure:  
Corrected Copy of License No. 37-28678-01

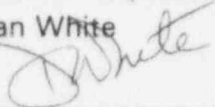
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OFFICE	DNMS/RI	<input checked="" type="checkbox"/> N	DNMS/RI	<input checked="" type="checkbox"/> W			
NAME	DWhite		JJohansen				
DATE	06/04/97		06/4/97		06/ /97		06/ /97

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ML 10

<b>TELEPHONE CONVERSATION RECORD</b>		<b>Date:</b> 6/2/97	<b>Time:</b> 10:00 am
<b>Mail Control No.:</b> 114882		<b>License :</b> 37-28678-01	<b>Docket No.:</b> 030-32431
<b>Person Calling:</b> Michael Demyan Radiation Safety Officer		<b>Organization:</b> Construction Testing, Inc.	<b>Telephone Number:</b> (215) 433-6871
<b>Person Called:</b> Duncan White 			
<b>Subject:</b> Possession Limits on license			
<b>Summary:</b> Licensee stated that the possession limit on license <del>are</del> <sup>is</sup> only for one gauge and indicated that their license request was generic in nature (specified no limit, only activity per source) and should be authorized more than one gauge.			
<b>Action Required/Taken:</b> Confirmed licensee's statement by review of docket file; issue corrected copy.			
<b>Signature:</b> Duncan White		<b>Date:</b> June 2, 1997	

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ML 10