

MATERIALS LICENSE

Amendment No. 03

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. Pennoni Associates Inc.
Continental Business Center
2. Front & Ford Streets
Bridgeport, Pennsylvania 19405

In accordance with the letter dated
January 20, 1997,

3. License Number 37-17637-02 is amended in
its entirety to read as follows:

4. Expiration Date June 30, 2002

5. Docket or
Reference No. 030-17570

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. 440 millicuries
 - B. 2,750 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 Front and Ford Streets, Bridgeport, Pennsylvania and 3948 Portland Street, Coplay, 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 Walter Capper, P.E. and Charles Snyder 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 Charles Snyder.



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180240
9706180425 970302
PDR ADOCK 03017570
C PDR

MATERIALS LICENSE
SUPPLEMENTARY SHEET

License Number

37-17637-02

Docket or Reference Number

030-17570

Amendment No. 03

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: Chief, Nuclear Materials Safety Branch, 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 National Leak Test Center. 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 SHEETLicense Number
37-17637-02Docket or Reference Number
030-17570

Amendment No. 03

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. The licensee may remove the source rod from portable gauges for the purpose of cleaning, maintenance, or repair of the gauge(s) in accordance with procedures described in the letters dated December 30, 1991 and April 22, 1992.
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 December 26, 1991
 - B. Letter dated December 30, 1991
 - C. Letter dated April 22, 1992
 - D. Letter dated May 6, 1992
 - E. Letter dated May 20, 1992
 - F. Letters dated January 20, 1997

MAR -2 1997

Date _____

For the U.S. Nuclear Regulatory Commission

Original Signed By:

By Steven R. Courtemanche
Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406

MAR - 2 1997

Mr. W. E. Capper, P.E.
Vice President
Pennoni Associates Inc.
Continental Business Center
Front and Ford Streets
Bridgeport, PA 19405

Dear Mr. Capper:

This refers to your license amendment request. Enclosed with this letter is the amended license. Please note that as part of this amendment, in accordance with 10 CFR 30.36, effective February 15, 1996, the expiration date of your license has been extended by a period of five years. Your new expiration date is stated in Item 4 of the license.

Please review the enclosed document carefully and be sure that you understand and fully implement all the conditions incorporated into the amended license. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region I Office, Licensing Assistance Team, (610) 337-5093 or 5239, so that we can provide appropriate corrections and answers.

Thank you for your cooperation.

Sincerely,

Original Signed By:
Steven R. Courtemanche

Steven R. Courtemanche
Division of Nuclear Materials Safety

License No. 37-17637-02
Docket No. 030-17570
Control No. 124144

Enclosure:
Amendment No. 03

OFFICIAL RECORD COPY

ML 10

DOCUMENT NAME: R:\WPS\MLTRL3717637.02

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	N	DNMS/RI				
NAME	SCourtehanche/src						
DATE	02/20/97		02/ /97		02/ /97		02/ /97

OFFICIAL RECORD COPY

TELEPHONE CONVERSATION RECORD	Date: 02/21/97	Time: 13:50
Mail Control No.: 124144	License No.: 37-17637-02	Docket No.: 030-17570
Person Called: W. E. Capper, P.E., Vice President	Licensee: Pennoni Associates Inc.	Telephone No.: (610)277-2402
Person Calling: Steven Courtemanche/(610) 337-5075		
Subject: Clarification of addresses listed in the license as storage locations.		
<p><u>Summary:</u> Mr. Capper stated that the gauges are often stored at the Bridgeport facility and that the post office in Ormrod, PA had changed the address for their facility to 3948 Portland Street, Coplay, PA from what is listed in the license. There has been no change of location. I stated that I would have to put both locations of storage in the license. I was also informed by Mr. Capper that Mihir Chatterjee has left the company and should be removed as an authorized user of licensed materials.</p>		
<p>Action Required/Taken: File with licensing action.</p>		
Signature: <i>Steven R. Courtemanche</i>		Date: 02/21/97

E. L. CONWELL & Co.

ESTABLISHED 1894

ENGINEERS

-

CHEMISTS

-

INSPECTORS

January 20, 1997

630-17570

Licensing Assistance Team
United States Regulatory Commission
Region 1
475 Allendale Road
King of Prussia, PA 19406

Re: By-Product Material
License #37-17637-02

Gentlemen:

Pennoni Associates Inc. has purchased certain assets of E. L. Conwell & Co. and intends to purchase subject license and the associated nuclear equipment upon approval of the Nuclear Regulatory Commission to do so. E. L. Conwell & Co. will not continue in business.

All of the employees of E. L. Conwell & Co. will become employees of Pennoni Associates Inc.

There will be no changes in the operation of the license or in the personnel supervising or using the licensed material.

The following information is furnished in accordance with NRC Information Notice 89-25, Rev. 1:

1. New Licensee Name - Pennoni Associates Inc.
2. Licensee Contact - W. E. Capper, P.E., Vice-President at 610-277-2402.
3. No changes.
4. After completion of the sale, the transferor will not remain in business.

OFFICIAL RECORD COPY

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JAN 22 1997

E. L. CONWELL & Co.

Licensing Assistance Team
United States Regulatory Commission
January 20, 1997
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5. The transaction consists of the purchase by the transferee of the physical assets of the transferor and the assumption by the transferee of the obligations to serve the transferor's clients. Transferor's employees will become employees of the transferee.
6. There will be no changes in organization, locations, facilities, equipment or procedures.
7. There will be no changes in the use, possession, location or storage of licensed materials.
8. We believe there are no changes which will require a license amendment.
9. All surveillance items and records (survey meter calibration, leak tests, storage area surveys, inventories and any other accountability requirements) will be current at the time of transfer.

Inventory was performed December 18, 1996.

Leak tests were performed December 27, 1996.

Survey meter calibrated December 23, 1996.

Employee exposure records - Monthly film badges, were last reported December 6, 1996.

Storage area at Ormrod facility surveyed January 15, 1997.

Storage area at Bridgeport facility surveyed January 18, 1997.

10. All records will be transferred to the transferee. The quantities of material licensed and/or possessed by the licensee are less than the quantities requiring a decommissioning plan or financial assurance arrangements required by 10 CFR 30.35, 40.36, 70.25 and 72.30.
11. Radiation survey was conducted at the Ormrod, PA facility and at the Bridgeport facility as set forth in #9 above. There was no significant contamination at either locations - Reports attached (2).

E. L. CONWELL & Co.

Licensing Assistance Team
United States Regulatory Commission
January 20, 1997
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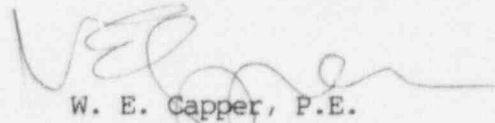
12. Not applicable. By-product materials are sealed sources and the quantities licensed or possessed are lower than the CFR levels requiring a decommissioning plan. There is no cleanup or decontamination required.
13. There are no open inspection items or enforcement actions. There is no decommissioning plan requirement. If the license is terminated, the nuclear materials will be returned to a manufacturer for disposal.
14. The transferor agrees to the change in ownership of the licensed material and activities.

There are no open inspection items and the transferee has been made aware of possible enforcement action if all of the provisions of the license are not complied with.

In view of the foregoing and the commitments made in the Pennoni Associates Inc. letter dated January 20, 1997 enclosed herewith, we respectfully request the approval of the Nuclear Regulatory Commission for the transfer of license and associated nuclear materials to Pennoni Associates Inc.

Respectfully submitted,

E. L. CONWELL & CO.


W. E. Capper, P.E.
President

WEC/nm
Enclosures

E. L. CONWELL & Co.

MEMO

Date: January 18, 1997

To: W. E. Capper

From: J. A. Jaszak

Re: Nuclear Gauges, Survey of Closet

The following are measurements with our survey meter for radiation levels in the closet with and without gauge in place:

<u>Location</u>	<u>Reading (MR/HR)</u>	
	<u>With Gauge</u>	<u>Without Gauge</u>
1. Top of Closet Stair Landing	0.	0.
2. Outside Closet Door	0.1	0.
3. Storage Room Wall	0.2	0.
4. Lobby Wall	0.1	0.
5. In Closet at Gauge	1.5	0.2
6. In Closet 1/2 Way	0.	0.
7. End of Closet	0.4	0.

Attached is sketch showing locations.

A hand-drawn floor plan of a building layout. The plan includes several rooms and corridors, each labeled with a number and a name. The layout is as follows:

- UPSTAIR WALKWAY**: A long horizontal corridor at the top of the plan.
- ROOM #1**: A rectangular room on the left side, containing a desk and chair.
- ROOM #2**: A rectangular room on the left side, containing a desk and chair.
- ROOM #3**: A rectangular room on the left side, containing a desk and chair.
- ROOM #4**: A rectangular room on the left side, containing a desk and chair.
- ROOM #5**: A rectangular room on the left side, containing a desk and chair.
- ROOM #6**: A rectangular room on the left side, containing a desk and chair.
- ROOM #7**: A rectangular room on the left side, containing a desk and chair.
- LOBBY AREA**: A large rectangular area in the center of the plan.
- FRONT DOOR**: A door located at the bottom center of the plan.
- BACK DOOR**: A door located at the bottom right of the plan.
- STAIRS**: A set of stairs located at the bottom right of the plan, labeled "UP" and "DOWN".
- RESTROOM**: A small rectangular room located at the bottom right of the plan.
- STORAGE**: A small rectangular room located at the bottom right of the plan.

BASEMENT CLOSET NUCLEAR
GAUGES ARE STORED

E. L. CONWELL & Co.

TO: W E CAPPER
FROM: C M SNYDER
DATE: W 15 JAN 1997
RE: SURVEY OF GAGE STORAGE ROOM, LEHIGH VALLEY OFFICE

THE FOLLOWING ARE SURVEY METER READINGS (mR/h) TAKEN THIS DATE
OF THE NUCLEAR GAGE STORAGE ROOM & SURROUNDING TERRITORY AT THE LV OFFICE:

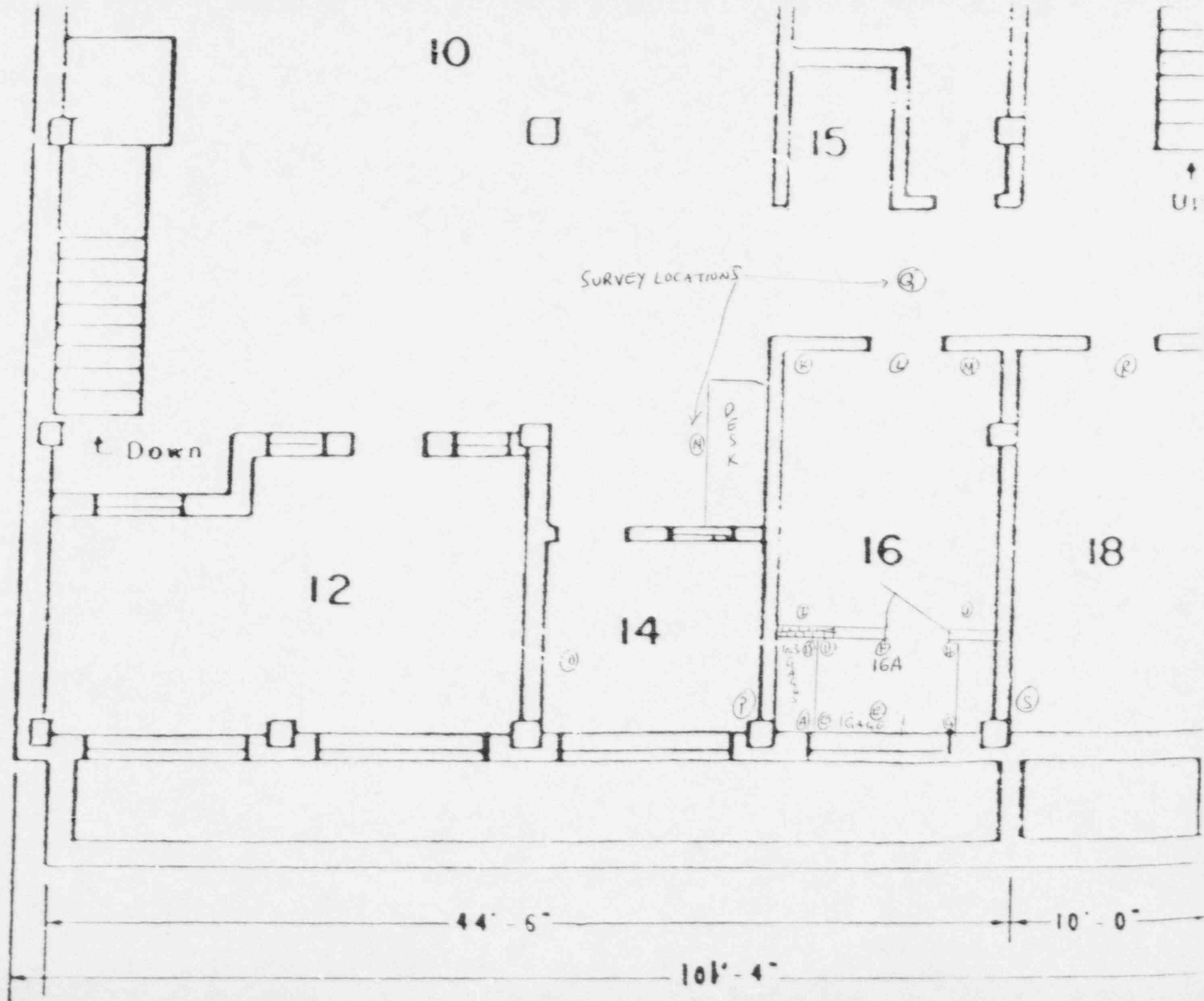
<u>LOCATION</u>	<u>GAGES IN ROOM 16A</u>	<u>ALL GAGES OUT OF ROOM 16A</u>
A	0.5	0
B	2.5	0.2
C	0.5	0
D	1.0	0
E	2.0	0.2
F	0.8	0
G	0.5	0
H	0.2	0
I	0.2	0
J	0.2	0
K	0.2	0
L	0.2	0
M	0.2	0
N	0	0
O	0	0
P	0	0
Q	0	0
R	0	0
S	0	0

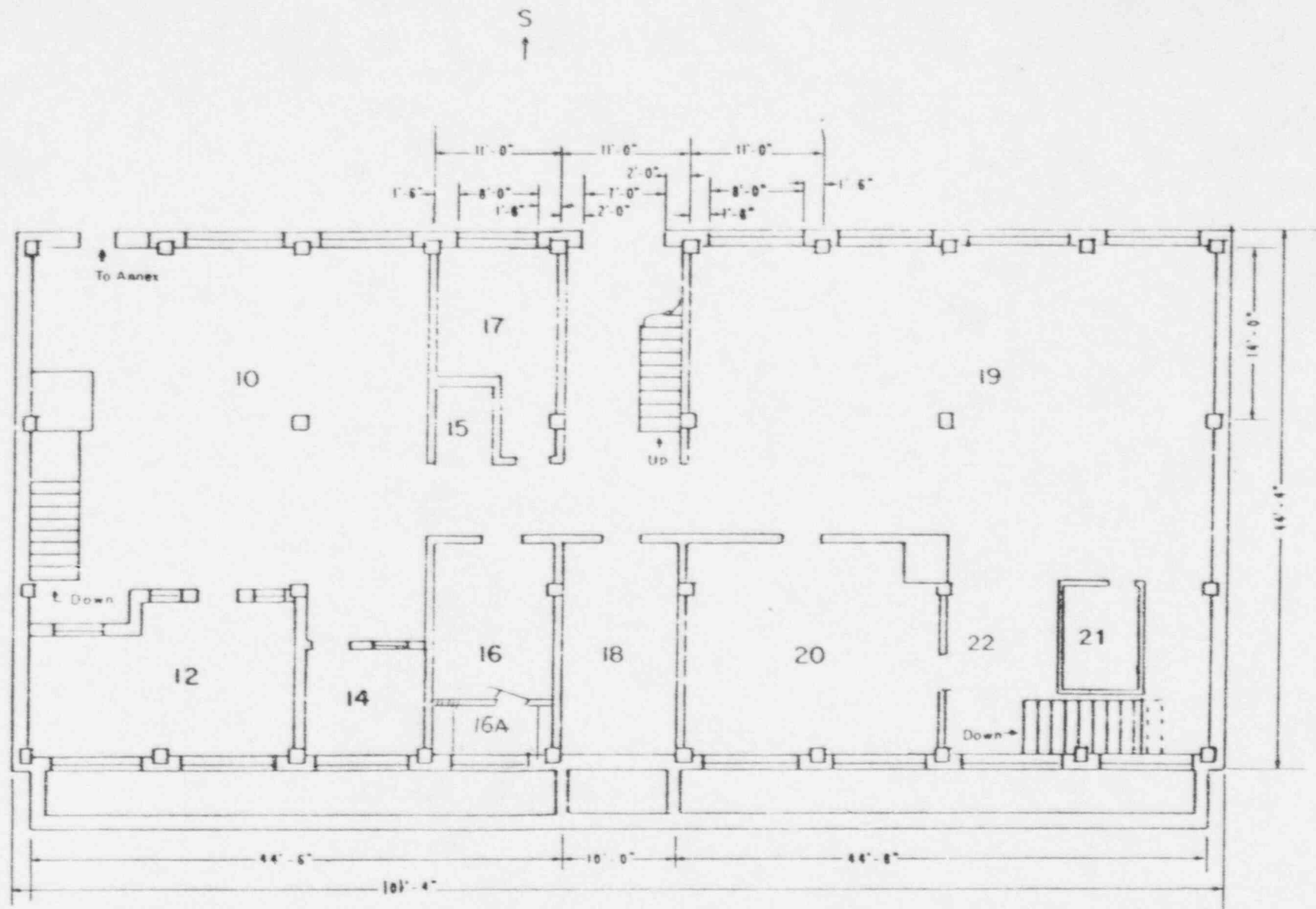
LOCATIONS MATCH CIRCLED LETTERS ON ENLARGED VIEW OF BASEMENT

CM Snyder
15 Jan 97

EL CONVENTO
3488 PARRANOS ST
CORRAL PA (BUS) 2299

BASEMENT
15 JAN 97 C3





Basement

E L CONWELL & CO
3948 PORTLAND ST
COPLAY PA 18037-2299

Scale - 1/4" = 3'-0"
REVISED 8-15-57
1-15-97 CS

Pennoni Associates Inc.

55 E. Front Street, Bridgeport, PA 19405-1466, Tel: 610-277-2402, Fax: 610-277-7449

January 20, 1997

Licensing Assistance Team
United States Nuclear Regulatory Commission
Region 1
475 Allendale Road
King of Prussia, PA 19406

Re: NRC Material License Transfer
License No. 37-17637-02

Gentlemen:

In accordance with the United States Nuclear Regulatory Commission regulations as set forth in Nuclear Regulatory Commission Information Notice 89-25, Rev. 1, we are requesting transfer of Nuclear Regulatory Commission Materials License No. 37-17637-02 (Docket No. 030-17570, Control No. 115916) from E. L. Conwell & Co. to Pennoni Associates Inc.

We submit the following information in accordance with Nuclear Regulatory Commission Information Notice 89-25, Rev. 1:

13. Transferee has reviewed the commitments and representation of the transferor including those set forth in E. L. Conwell & Co. letter of January 20, 1997 to the Nuclear Regulatory Commission enclosed herewith and hereby agrees to abide by them. Transferor has advised the transferee that there are no contamination activities, decommissioning of the sites or corrective actions for open inspection items or enforcement actions required.

Transferee accepts full liability for the sites.

JAN 22 1997



Licensing Assistance Team
United States Nuclear Regulatory Commission
January 20, 1997
Page 2

14. Transferee (Pennoni Associates Inc.) agrees to the transfer of ownership of the licensed materials and activities.
15. Transferee agrees to its commitment to abide by all constraints, conditions, requirements, representations and commitments in the existing license.

There will be no changes in the license operation as a result of this transfer; therefore we believe that an amendment is not required.

We look forward to your favorable response to this request.

Very truly yours,

PENNONI ASSOCIATES INC.

Eric L. Flicker / my

Eric L. Flicker, P.E.
Vice-President

ELF/WEC/rm



LICENSE FEE REQUIREMENTS

LICENSE FEE AND DEBT COLLECTION BRANCH
DIVISION OF ACCOUNTING AND FINANCE
OFFICE OF THE CONTROLLER
U.S. NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555-0001

E. L. CONWELL & COMPANY
ATTN: W. E. CAPPER, P.E.
PRESIDENT
CONTINENTAL BUSINESS CENTER
FRONT & FORD STS.
BRIDGEPORT, PA 19405

TYPE OF ACTION

- ☐ NEW LICENSE
☐ RENEWAL OF LICENSE
☒ AMENDMENT TO LICENSE

REQUESTED DATE

1-20-97

LICENSE NUMBER

37-17637-02

CONTROL NUMBER

124144

I. APPLICATION FEE DUE

Your request for a licensing action is subject to the fee(s) in the category(ies) noted below in accordance with Section 170.31 of the enclosed Federal Register notice. Payment of the fee is required prior to the issuance of the license, renewal, or amendment.

FEE CATEGORY	APPLICATION	RENEWAL	AMENDMENT
3P	\$	\$	\$ 300.00
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$

FEE(s) DUE	\$	300.00
PAYMENT RECEIVED	\$	0.00
AMOUNT DUE	\$	300.00

☒ Your request was received without the prescribed application fee.

☐ We received your Check No. _____ in the amount of \$ _____. Payment of the additional fee noted above is required.

☐ Your request will increase the scope of your license program. Therefore, your request is subject to the application fee(s) noted above. Refer to Section 170.31 and Footnote 1(d)(2).

☐ Your license expired prior to the receipt of your application for renewal. Therefore, your request is subject to the application fee(s) noted above. Refer to Section 170.31 and Footnote 1(a).

MAKE PAYMENT OF THE FEE(S) TO THE U.S. NUCLEAR REGULATORY COMMISSION AND MAIL THE PAYMENT TO THE ADDRESS LISTED AT THE TOP OF THIS FORM. IF WE DO NOT RECEIVE A REPLY FROM YOU WITHIN 30 CALENDAR DAYS FROM THE DATE LISTED BELOW, WE SHALL ASSUME THAT YOU DO NOT WISH TO PURSUE YOUR APPLICATION AND WILL VOID THIS ACTION.

II. FEE NOT REQUIRED

- ☐ Enclosed is Check No. _____ which accompanied your request. The fee is not required because:
- ☐ We received your Check No. _____ in payment of the fee.
- ☐ The Licensing staff has informed us that your request is to be considered as a continuation of your request dated _____, Control No. _____.
- ☐ Your request was combined, prior to review, with your request, Control No. _____.

III. CHECK RETURNED

- ☐ Enclosed is Check No. _____ which was returned to us by the bank for:
- ☐ INSUFFICIENT FUNDS
- ☐ ACCOUNT CLOSED
- ☐ OTHER

MAIL THE REPLACEMENT CHECK TO THE ADDRESS LISTED AT THE TOP OF THIS FORM AND REFERENCE THE ABOVE CONTROL NUMBER.

IV. LICENSE ISSUED WITHOUT THE REQUIRED FEE

- ☐ License No. _____, Amendment No. _____, issued on _____, was issued without the required fee being collected. The fee required is noted in Section I of this form.
- ☐ The scope of your licensed program was increased. Therefore, your request is subject to the application fee(s) noted in Section I of this form. Refer to Section 170.31 and Footnote 1(d)(2).
- ☐ Because of the urgency of your request, the license was issued without remittance of the prescribed fee noted in Section I of this form.

SIGNATURE -- LICENSE FEE ANALYST

LFDCB

LFDCB

Distribution:

Region I

Pending

BBrown

LPARB R/P

OC/DAF R/P

OC/DAF S/P (LF-3.2.7)

DATE

BRENDA BROWN 301-415-6055

2/3/97

2-3-97

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: 20020630
: FEE COMMENTS: -----
: DECOM FIN ASSUR REQD: N
:

LICENSE FEE TRANSMITTAL

A. REGION I

1. APPLICATION ATTACHED
APPLICANT/LICENSEE: E. L. CONWELL & CO.
RECEIVED DATE: 970122
DOCKET NO: 3017570
CONTROL NO.: 124144
LICENSE NO.: 37-17637-02
ACTION TYPE: AMENDMENT

2. FEE ATTACHED
AMOUNT: -----
CHECK NO.: -----

3. COMMENTS

SIGNED M. A. Perkins
DATE 1/23/97

B. LICENSE FEE MANAGEMENT BRANCH (CHECK WHEN MILESTONE 03 IS ENTERED 1 1)

1. FEE CATEGORY AND AMOUNT: 3P \$300

2. CORRECT FEE PAID. APPLICATION MAY BE PROCESSED FOR:
AMENDMENT -----
RENEWAL -----
LICENSE -----

3. OTHER -----

SIGNED -----
DATE -----

1 (97)

Log	<u>Feb 2</u>
Remitter	
Check No.	<u>1773</u>
Amount	<u>\$300</u>
Fee Category	<u>3P</u>
Type of Fee	<u>Amend</u>
Check Rec'd	<u>2/19/97</u>
Completed	<u>RB</u>
By	