

OFFICIAL RECORD COPY MATERIALS LICENSE

Amendment No. 02

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.

Licensee		In accordance with letter dated April 4, 1997	
1. American Fiber Resources, LP		3. License Number	47-25327-01
2. P.O. Box 687 Fairmont, West Virginia 26554		is amended in its entirety to read as follows:	
		4. Expiration Date	April 30, 2005 (Extended)
		5. Docket or Reference No.	030-33817
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. Any sealed source registered pursuant to 10 CFR 32.210 or an equivalent Agreement State regulation	A. No single source to exceed 185 GBq (5000 millicuries) per source. (See item 9.A)	
B. Cesium 137	B. Any sealed source registered pursuant to 10 CFR 32.210 or an equivalent Agreement State regulation	B. No single source to exceed 11.1 GBq (300 millicuries) per source. (See item 9.B)	

9. Authorized Use:

- A. Sealed source(s) contained in compatible non-portable gauging devices (registered pursuant 10 CFR 32.210 or an equivalent Agreement State regulation) for measuring properties of materials and/or controlling industrial processes. [Ronan Model SA-1]
- B. Sealed source(s) contained in compatible non-portable gauging devices (registered pursuant 10 CFR 32.210 or an equivalent Agreement State regulation) for measuring properties of materials and/or controlling industrial processes. [Ronan Model SA-8]

CONDITIONS

- 10. Licensed material shall be used only at the licensee's facilities located at Hoult Road, Sanford Facility, Fairmont, WV.
- 11. The Radiation Safety Officer for this license is Bradley E. Morgan.

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MATERIALS LICENSE
SUPPLEMENTARY SHEET

License Number 47-25327-01

Docket or Reference: N000-83817

Amendment No. 02

CONDITIONS

(cont'd)

12. Licensed material shall be used by, or under the supervision of, **Bradley E. Morgan** or other individual satisfactorily completing the device manufacturers training program for authorized users.
13. A. Sealed sources 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. 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 received from another person shall not be put into use until tested.
- C. Sealed sources need not be leak tested if they contain only a radioactive gas; or not more than 100 microcuries of beta and/or gamma emitting material or, 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.
- D. 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 II, Division of Nuclear Materials Safety, Nuclear Material Licensing/Inspection Branch, 61 Forsyth Street, Suite 23T85, Atlanta, Georgia 30303. The report shall specify the source involved, the test results, and corrective action taken.
- E. The licensee is authorized to collect leak test samples for analysis by Ronan Engineering Company. 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.
14. Installation, initial radiation surveys, relocation, removal from service, or any similar activity with devices containing licensed material shall be performed only by persons specifically licensed by the Commission or an Agreement State to perform such services.
15. Sealed sources containing licensed material shall not be opened or removed from their respective source holders by the licensee.
16. Each gauge shall be tested for the proper operation of the on-off mechanism and indicator, if any, at no longer than six-month intervals or at such longer intervals as specified by the manufacturer and approved by NRC.
17. The licensee shall operate each gauge within the manufacturer's specified temperature and/or environmental limits such that the shielding and shutter mechanism of the source holder are not compromised.
18. The licensee shall assure that the shutter mechanism is locked in the closed position during periods when a portion of an individual's body may be subject to the direct radiation beam. The licensee shall review and modify as appropriate its "lock-out" procedures whenever a new gauge is obtained to incorporate the device manufacturer's recommendations.

MATERIALS LICENSE
SUPPLEMENTARY SHEET

License Number 47-25327-01

Docket or Reference Number 90-83817

Amendment No. 02

CONDITIONS

(cont'd)

19. The licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license.
20. The licensee shall maintain records of information important to safe and effective decommissioning at the location specified in Item 10 pursuant to the provisions of 10 CFR 30.35(g) until this license is terminated by the Commission.
21. 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.
22. Prior to initial use and after installation, relocation, dismantling, alignment, or any other activity involving the source or removal of the shielding, the licensee shall assure that a radiological survey is performed to determine radiation levels in accessible areas around, above and below the gauge with the shutter open.

This survey shall be performed only by persons authorized to perform such services by the Commission or an Agreement State.

23. The licensee shall not possess and/or use licensed material authorized by this license until its personnel have completed the radiation safety training described in application dated March 15, 1995.
24. 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 March 15, 1995 [new license]

B. Letters dated:

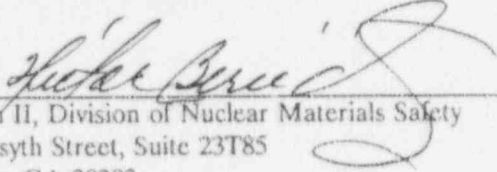
- May 16, 1995 [new Radiation Safety Officer]
- March 1, 1996 [NRC letter extends expiration date in accordance with 10 CFR 30.36]
- April 4, 1997 [change Radiation Safety Officer]

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

HECTOR BERMUDEZ

Date MAY 16 1997

N:\MLICENSE\47-25327.A02

By 
Region II, Division of Nuclear Materials Safety
61 Forsyth Street, Suite 23T85
Atlanta, GA 30303

5/19/97



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION II
ATLANTA FEDERAL CENTER
61 FORSYTH STREET, SW, SUITE 23T85
ATLANTA, GEORGIA 30303

MAY 16 1997

INFORMATION FOR NRC MATERIAL LICENSEES

Please find enclosed:

- ☒ Your NRC material license
- ☐ Amendment to your NRC material license
- ☐ Amendment renewing your NRC material license
- ☐ Amendment terminating your NRC material license
- ☐ Notice for Radiographer Quality Assurance Approval Program

Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify this office (ATTN: Ms. Diane Heim at (404) 562-4723) so that we can provide appropriate corrections and answers.

Please be advised that your license expires at the end of the day in the month and year stated in the license. Unless your license has been terminated, you must conduct your program involving byproduct 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 19, "Notice, Instructions and Reports to Workers; Inspections," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Not possess and use materials authorized in Items 6, 7, and 8, on the license until:
 - a. you have constructed the facilities and obtained the equipment described in the license application and supporting documentation; and
 - b. you have notified the U. S. Nuclear Regulatory Commission, Region II, ATTN: Materials Licensing/Inspection Branch, in writing, that activities authorized by the license will be initiated.
 - c. you have submitted and certified implementation of a Quality Management Program (10 CFR 35.32) for radiotherapy, or for administering > 30 uCi of I-125 or I-131.
3. Notify NRC, in writing, within 30 days:
 - a. when an authorized user, Radiation Safety Officer, or Teletherapy Physicist permanently discontinues performance of duties under the license or has a name change; or
 - b. when the licensee's mailing address changes (no fee is required if the location of byproduct material remains the same).
4. In accordance with 10 CFR 30.36(b) and/or license condition, notify NRC, promptly, in writing, and request termination of the license:
 - a. when you decide to terminate all activities involving materials authorized under the license; or
 - b. if you decide not to complete the facility, acquire equipment, or possess and use authorized material.

5. Request and obtain a license amendment before you:
 - a. receive or use byproduct material for a clinical procedure permitted under Part 35 but not permitted by your license issued pursuant to this part.
 - b. permit anyone, not authorized under 10 CFR 35, Subpart J, to work as an authorized user under a license for medical use of byproduct material.
 - c. permit anyone, not authorized under 10 CFR 35, Subpart J, to work as a Radiation Safety Officer, Teletherapy Physicist, or Nuclear Pharmacist, under a license for medical use of byproduct material.
 - d. order byproduct material in excess of the amount, or a different radionuclide or form, other than authorized on the license;
 - e. add or change the areas of use or address (or addresses) of use identified in the license application or on the license; or
 - f. change ownership of your organization.
6. Submit a complete renewal application with proper fee or termination request at least 30 days before the expiration date of your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of byproduct material after your license expires is a violation of NRC regulations. Transfer of licensed materials must be consistent with 10 CFR 30.41, 40.51 or 70.42, as applicable. A license will not normally be renewed, except on a case-by-case basis, in instances where licensed material has never been possessed or used.

In addition, please note that NRC Form 313 requires the applicant, by his/her signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of the applicant's knowledge. The signatory for the application should be the licensee or certifying official rather than a consultant.

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, or imposition of a Civil Penalty, or an order suspending, modifying or revoking your license as specified in the "General Statement of Policy and Procedures for NRC Enforcement Actions," NUREG-1600, (7/95). Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken against those who do not achieve the necessary attention to detail and standard of compliance expected of licensees.

Thank you for your cooperation.

Enclosures:

1. NRC License
2. Category Marked Below for:
 - ☐ New licenses: NUREG-1600 (7/95); 19; 20; 30; 40 or 70, as appropriate; 71; 170; NRC Form 3; Agreement State list; and NRC Form 313.
 - ☐ New radiography licenses: Parts 34; 150.
 - ☐ New medical and teletherapy licenses: Part 35.
 - ☐ Amendments and renewals: NRC Form 313.

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RONAN ENGINEERING COMPANY
NUCLEAR MEASUREMENTS DIVISION
FLORENCE, KENTUCKY

This is to certify that

Bradley Morgan

has successfully completed the
**RONAN RADIATION SAFETY
TRAINING SCHOOL**

The Following Topics Were Covered

The principles and fundamentals of radiation protection and good safety practices related to the use of radioactive materials.

Radioactivity measurements, use of radiation detection instruments, and monitoring techniques.

Biological effects of radiation.

Procedures for performing services.

Actual practice in performing the services.

March 14, 1997

Date

A handwritten signature in dark ink, appearing to read 'John F. Thompson', written over a horizontal line.
Instructor

BETWEEN:

License Fee Management Branch, ARM
and
Regional Licensing Sections

: (FOR LFMS USE)
: INFORMATION FROM LTS
:
:
: Program Code: 03120
: Status Code: 0
: Fee Category: 3P
: Exp. Date: 20050430
: Fee Comments:
: Decom Fin Assur Req'd: N
:

1997 MAY -2 PM 1:53

LICENSE FEE TRANSMITTAL

A. REGION II

1. APPLICATION ATTACHED

Applicant/Licensee: AMERICAN FIBER RESOURCES, LP
Received Date: 970428
Docket No: 3033817
Control No.: 257468
License No.: 47-25327-01
Action Type: Amendment

2. FEE ATTACHED

Amount: 360.00
Check No.: 7386

3. COMMENTS

Signed DIANE HEIM
Date 4/29/97

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 Kita Messer
Date 5/2/97

Log	<u>May 1 II</u>
Remitter	<u> </u>
Check No.	<u>7386</u>
Amount	<u>\$360.00</u> <u>Refunded</u>
Fee Category	<u>3P</u>
Type of Fee	<u>Amendment</u>
Date Check Rec'd.	<u>5/2/97</u>
Date Completed	<u>5/2/97</u>
By	<u> </u>

**AMERICAN
FIBER
RESOURCES, L.P.**

April 4, 1997

MANUFACTURERS OF RECYCLED PULP



*Received
4/28/97
EYW*

Nuclear Materials Safety Section
U.S. Nuclear Regulatory Commission, Region II
101 Marietta Street, NW, Suite 2900
Atlanta, GA 30323

Attn: Earl G. Wright, Senior License Reviewer

Dear Mr. Wright:

American Fiber Resources, L.P. (AFR) is requesting an amendment to its Nuclear Regulatory Commission Material License No. 47-25327-01. This amendment is required to designate Mr. Bradley E. Morgan as the primary Radiation Safety Officer. Mr. Morgan attended the 40 hour safety class offered by Ronan Engineering in March of 1997. The license currently lists Mr. Samuel Harteis as the Radiation Safety Officer, and Mr. Robert Briggs as the alternate, however, due to a recent reorganization, neither Mr. Harteis nor Mr. Briggs are employed with AFR.

Also, due to a pending transfer of ownership, we will be requesting a future additional amendment to incorporate the expected company name change. It is expected that Mr. Morgan will remain the Radiation Safety Officer.

Please forward any necessary forms needed to effect these changes to the attention of Mrs. Tammy L. Rhodes. A check in the amount of \$360.00 is enclosed to cover the cost of the requested amendment.

Should you have any questions regarding this request, please contact Mrs. Rhodes at (304) 366-8491 ext. 110.

Sincerely,

Donald R. Plummer

Donald R. Plummer
President

tlr

Encl: 1

207463

Lic No. 47-25327-01
Rocket No. 03033817

DIVISION OF ACCOUNTING AND FINANCE REQUEST FOR REFUND TO EMPLOYEE/VENDOR

THE EMPLOYEE/VENDOR IDENTIFIED BELOW HAS OVERPAID THE NUCLEAR REGULATORY COMMISSION FOR GOODS AND/OR SERVICES PROVIDED AND IS DUE A REFUND

EMPLOYEE/VENDOR/PAYEE CODE: _____

NAME: American Fiber Resources, LP

ADDRESS: Attn: Donald R. Plummer

ADDRESS: P. O. Box 687

CITY: Fairmont STATE: WV ZIP: 26555-0687

TRANS CODE: FX

TRANS TYPE: FE FUND: X5280 JOB CODE: _____ AMOUNT: \$60.00

TRANS TYPE: IR FUND: R1435 JOB CODE: INTR AMOUNT: _____

TRANS TYPE: IR FUND: R1099 JOB CODE: ADCH AMOUNT: _____

TRANS TYPE: IR FUND: R1099 JOB CODE: FINE AMOUNT: _____

TOTAL REFUND AMOUNT: \$60.00

COMMENTS: Overpaid and fee Lic 47-25327-01
CK 7386

(limit comments to 40 characters, including spaces)

PREPARED BY: Kita Messier DATE: 5/2/97

AUTHORIZED BY: Andrea Kennedy DATE: 5/5/97

ORIGINAL INV. NO: _____ DATE PAID: _____ AMOUNT: _____

REFUND ENTERED INTO COLLECT BY: _____

REFUND DETERMINED BY: _____ DATE: _____

PLEASE ATTACH APPROPRIATE SUPPORTING DOCUMENTATION

3P
AA905 AMD

May 1 11
CK # 7386
K. L. L. L.