

## 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, 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

1. Keystone Portland Cement Company

2.

Bath, Pennsylvania 18014

In accordance with application  
dated January 4, 1984,

3. License number 37-03426-02 is amended in its

entirety to read as follows:

4. Expiration date February 28, 1989

5. Docket or  
Reference No. 030-061026. Byproduct, source, and/or  
special nuclear material7. Chemical and/or physical  
form8. Maximum amount that licensee  
may possess at any one time  
under this license

A. Cesium 137

B. Cesium 137

A. Sealed sources

B. Sealed sources (3M  
Company Model 4F6S)

A. See Subitem 9.A

B. Not to exceed 100  
millicuries per source

## 9. Authorized use

- A. For possession and use in Ohmart Corporation devices which have been evaluated and approved for licensing purposes and authorized for distribution under a license issued by the Nuclear Regulatory Commission or an Agreement State.
- B. For use in Ronan Model SA-8 source holders for point level measurements.

## CONDITIONS

10. Licensed material shall be used only at the licensee's address stated in Item 2. above.
11. The licensee shall comply with the provisions of Title 10, Chapter 1, Code of Federal Regulations, Part 19, "Notices, Instructions, and Reports to Workers; Inspections" and Part 20, "Standards for Protection Against Radiation."
12. Licensed material shall be used by, or under the supervision of, Michael R. Kapustic.
13. A. (1) Each sealed source containing licensed material, other than Hydrogen 3, with a half-life greater than thirty days and in any form other than gas shall be tested for leakage and/or contamination at intervals not to exceed six months, except those sealed sources as specified by the manufacturer and specifically authorized by the Commission or an Agreement State may be leak tested at intervals not to exceed three years. In the absence of a certificate from a transferor indicating that a test has been made within six months prior to the transfer, a sealed source received from another person shall not be put into use until tested.

MATERIALS LICENSE  
SUPPLEMENTARY SHEET

License number

37-03426-02

Docket or Reference number

030-06120

Amendment No. 10

(107.A.continued)

## CONDITIONS

- (2) The periodic leak test required by this condition does not apply to sealed sources that are stored and not being used. The sources excepted from this test shall be tested for leakage prior to any use or transfer to another person unless they have been leak tested within six months prior to the date of use or transfer.
  - B. The test shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. The test sample shall be taken from the sealed source or from the surfaces of the device in which the sealed source is permanently mounted or stored on which one might expect contamination to accumulate. Records of leak test results shall be kept in units of microcuries and maintained for inspection by the Commission.
  - C. If the test reveals the presence of 0.005 microcurie or more of removable contamination, the licensee shall immediately withdraw the sealed source from use and shall cause it to be decontaminated and repaired or to be disposed of in accordance with Commission regulations. A report shall be filed within 5 days of the test with the U. S. Nuclear Regulatory Commission, Region I, 631 Park Avenue, King of Prussia, Pennsylvania 19406, describing the equipment involved, the test results, and the corrective action taken.
  - D. The licensee is authorized to collect leak test samples in accordance with the procedures described in the licensee's application dated January 4, 1984, for analysis by Ohmart Corporation. Alternatively, leak test samples may be collected and/or analyzed by other persons specifically authorized by the Commission or an Agreement State to perform such services.
14. Sealed sources containing licensed material shall not be opened or removed from their respective source holders by the licensee.
  15. Installation, relocation, removal from service, maintenance, repair, and initial radiation survey of devices containing licensed material and installation, replacement, and disposal of sealed sources containing licensed material used in devices shall be performed only by the device manufacturer or by other persons specifically authorized by the Commission or an Agreement State to perform such services.
  16. The licensee shall conduct a physical inventory every six (6) months to account for all sealed sources received and possessed under the license. The records of the inventories shall be maintained for two (2) years from the date of the inventory for inspection by the Commission, and shall include the quantities and kinds of licensed material, location of sealed sources and the date of the inventory.

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SUPPLEMENTARY SHEET

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Amendment No. 10

(continued)

## CONDITIONS

17. Except as specifically provided otherwise by this license, the licensee shall possess and use licensed material described in Items 6, 7, and 8 of this license in accordance with statements, representations, and procedures contained in application dated January 4, 1984. The Nuclear Regulatory Commission's regulations shall govern the licensee's statements in applications or letters, unless the statements are more restrictive than the regulations.

Date

FEB 23 1984

For the U.S. Nuclear Regulatory Commission

By John F. Glenn, P.E.

Nuclear Materials and Safeguards Branch  
Region I  
King of Prussia, Pennsylvania 19406

# KEYSTONE PORTLAND CEMENT COMPANY

BATH, PENNSYLVANIA 18014

(215) 837-1881



CORPORATE  
HEADQUARTERS  
ALLENTOWN, PA

SALES OFFICES  
KING OF PRUSSIA, PA

PLANT  
BATH, PA.

- 15). All work pertaining to sealed sources will be preformed by Ohmart Personnel.

Access to any of the devices will be controlled by warning signs.

If it would be neccessary to work on the pipe a device is attached, the source would be turned off and locked in the off position until the work is completed. The applicant would be responisble for both installation and removal of the lock.

Leak test are done by the applicant using Ohmart wipe test kits at 6 month intervals.

rry

ry

Docket No. 030-06102

License No. 37-03426-02

KEYSTONE CEMENT COMPANY  
INSPECTION HISTROY

Inspection

78-01

Results

Infraction: 10 CFR  
19.12. Individuals  
working in the  
restricted were not  
instructed in the  
applicable provisions  
of the Commissions  
regulations and  
licenses.

Infraction: 10 CFR  
20.203 (f). Devices  
containing licensed  
material in amounts  
above those specified  
were not clearly  
labeled as required.

Infraction: 10 CFR  
19.11 (a)(b). Neither  
the documents nor the  
required notices were  
posted.

# APPENDIX

## Documentation Quality Control Checklist

Information	Where Located*					
	Insp Rept	Conf Rept	Draft Nov	Draft Ltr	Cover Memo	Other
B.1. What was the requirement and, if the requirement was conditional, how were the conditions satisfied which made the requirement applicable?	✓			✓	✓	
B.2. How the requirement was violated?	✓		✓			
B.3. When the requirement was violated and what was the duration of the violation?	✓		✓			
B.4. Who caused the violation?	✓		✓			
B.5. How and by whom (be specific) was the violation discovered?	✓		✓		✓	
B.6. Was the violation required to be reported and, if so, what was the applicable reporting requirement?				✓	✓	
B.7. Was the violation reported and, if so, when and by whom was it reported?	✓			✓	✓	
B.8. If the violation was reported, but the report was late, why was the report late?						NA
B.9. Was the report complete and accurate?						NA
B.10. Were there multiple examples of the violation?	✓		✓			

\*Place an "X" in the appropriate column(s) or N/A if the issue is applicable to the case. When an issue is N/A'd, the supporting documentation will support the conclusion that the issue is not applicable.



Where Located\*

Information

	Insp Rept	Conf Rept	Draft Nov	Draft Ltr	Cover Memo	Other
B.11. What was the apparent root cause and contributing casual factors for the violation?	✓			✓		
B.12. Describe any facts and circumstances that address the aspects of negligence, careless disregard, willfulness and management involvement.						None apparent
B.13. Was there economic or other personal or corporate gain associated with the violation?						None Apparent
B.14. What were the opportunities and when did they exist for licensee staff and management to be aware of the violation?						None Apparent
B.15. What were the circumstances surrounding the violation, such as system configuration and operational conditions for reactor cases, which effect the significance of the violation?	✓			✓	✓	
B.16. Is the violation indicative of programmatic problems or is it an isolated case?	✓			✓		
B.17. What short term corrective and remedial action was taken and when was it taken?					✓	
B.18. Did NRC have to intervene to accomplish satisfactory short term correction and remedial action?						NA
B.19. Were there previous similar NRC inspection or licensee audit findings and, if so, should the corrective actions from those findings have prevented this violation?	✓					

Where Located\*

<u>Information</u>	Insp Rept	Conf Rept	Draft Nov	Draft Ltr	Cover Memo	Other
C.1. List the enforcement conference attendees from the NRC and licensee.		Write here				
C.2. Describe additions or corrections to the factual information in the inspection report.						Delete training citation or reasons will be in ent conf Rpt
C.3. If the licensee takes issue with the violations, describe the licensee position.						NA
C.4. Describe any additional information which effects the regulatory or safety significance of each violation.	✓			✓	✓	
C.5. Describe any additional information on correction and remedial actions the licensee has implemented has committed to implement.	✓				✓	
D.1. A concise, clear statement of the requirement appropriately referenced, paraphrased or quoted.			✓			
D.2. A brief statement of the circumstances of the violation including the dates of the violation and the facts necessary to demonstrate that one or more elements of the requirements were not met.			✓			
D.3. The severity level proposed for the violation.			✓			
D.4. The civil penalty proposed for the violation.						NA
E.1. When, where, and by whom an inspection was conducted.	✓			✓		



Where Located\*

<u>Information</u>	<u>Insp Rept</u>	<u>Conf Rept</u>	<u>Draft Nov</u>	<u>Draft Ltr</u>	<u>Cover Memo</u>	<u>Other</u>
E.2. When and where an enforcement conference was conducted and who were the lead NRC and licensee representatives.				✓		
E.3 When reports of the inspection and enforcement conference results were provided to the licensee.				✓		
E.4. A description of the violations, including who identified the violations, and the apparent root cause of the violations, and any other major attributes of the violations necessary to support the safety and regulatory significance of the violations.	✓			✓	✓	
E.5. A statement of the results which we expect to achieve through issuance of the proposed enforcement action focusing on correction of the underlying problems disclosed by the violation.				✓		
E.6. A description of the proposed enforcement sanctions including severity level and civil penalty valve.				✓		
E.7. An analysis of any factors which caused the severity level to be different from the normal severity level for the type of involved violations, for example, programmatic aspects, or willfulness.						NA
E.8. An analysis of any factors which caused the civil penalty valve to be different than the base valve for that severity level violation.				✓	✓	

Where Located\*

<u>Information</u>	Insp Rept	Conf Rept	Draft Nov	Draft Ltr	Cover Memo	Other
F.1. The Enforcement Action (EA) number.	✓		✓	✓	✓	
F.2. The referenced inspection report numbers.				✓		
F.3. A summary of the nature of the violation(s).				✓	✓	
F.4. A summary of the root cause(s)/problem area(s) represented by the violation(s).	✓				✓	
F.5. A description of the regulatory and Technical Safety significance of the violation(s)/problem area(s), including considerations such as operational configuration, supervision/management involvement and willfulness.	✓			✓	✓	
F.6. A description of the purpose of the enforcement action and the message we intend to send to the licensee and industry.				✓		
F.7. A description of the rationale for the recommended severity level and grouping of the violations including reference to the relevant sections of the Enforcement Policy and OE guidance and prior EA's.				✓	✓	
F.8. A description of the rationale for the recommended civil penalty addressing all five Enforcement Policy escalation and mitigation factors as well as duration, willfulness, ability to pay, and prior EA's which are similar.						NA

Information

Where Located\*

- F.9 An analysis of the licensee's position on any aspect of the violations or application of the Enforcement Policy to those violations which is in substantial disagreement with the regional proposal.
- F.10 The Regional Counsel's view of the legal aspects and \_\_\_\_\_ risk associated with the proposed action and the advisability of OGC review of the proposed action.
- F.11 Any other regulatory framework factors that need to be considered in review of the case; such as, pending licensing issuance or renewal action, and commission meetings.

Insp Rept	Conf Rept	Draft Nov	Draft Ltr	Cover Memo	Other
					NT
					His no legal objection possible
					NT