

March 18, 1997

Engineering Construction Support, Inc.
ATTN: Mr. Ralph R. Fitzwater, P.E.
8023 Dulins Ford Road
Marshall, VA 20115

SUBJECT: REQUEST FOR ADDITIONAL INFORMATION REGARDING MATERIALS LICENSE
APPLICATION DATED DECEMBER 19, 1996 (MAIL CONTROL NO. 257342;
DOCKET NO. 030-034333)

Dear Mr. Fitzwater:

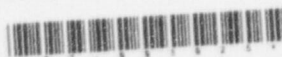
This letter is in reference to your application dated December 19, 1996, and your letter dated February 15, 1997, in response to our letter dated February 12, 1997. This also confirms our telephone conversation on March 7, 1997, regarding the additional information needed to complete the review of your application.

This letter is to clarify and confirm that you will commit to the following practices and procedures for those activities that require the use of licensed materials contained in portable moisture density gauges (PMDGs). You stated in your letter dated February 15, 1997, that an "OK" response was defined as "Agreed To" by Ralph Fitzwater, P.E., and that:

1. Under Item 6, after this license is approved you would not lower the sealed source contained in the PMDGs possessed by you into the ground more than the 1-3 feet which is common for most surface measurements;
2. Under Item 10, Enclosure 4, the Radiation Safety Officer's duties and responsibilities would be those listed in Appendix C of Policy and Guidance Directive PG 2-07 (Rev. 0), dated September 1994;
3. Under Item 10, Enclosure 4, for individuals appointed as users would receive initial training in a portable gauge manufacturer's course and you committed that:
 - a. Before an individual would be permitted to use a PMDG, the individual would have:
 1. received copies of, and been trained in, your operating and emergency procedures; and
 2. been designated as an authorized user by the RS0;

9703270281 970318
PDR ADOCK 03034333
C PDR

270107



1/0

ML20

Engineering Construction Support, Inc. 2

- b. For each individual trained after this license is approved, you would maintain a record for three years after terminating employment demonstrating that the individual was trained as described in Item 5.a of this letter;
 - c. Refresher training would be provided, by the RSO [or an instructor whose qualifications meets the criteria in Part II of Appendix D of Policy and Guidance Directive PG 2-07 (Rev. 0), dated September 1994)], to all gauge users, at intervals not to exceed one year. The training would include participation in "dry runs" of your emergency procedures and review: 1) operating and emergency procedures; 2) DOT requirements; 3) changes in applicable regulations or license conditions; 4) deficiencies identified during the performance of annual audits of the radiation safety program; and 5) applicable NRC Information Notices, Bulletins, and articles in NRC's Newsletters. The duration of such refresher training would be conducted at intervals not to exceed 12 months; and
 - d. You would maintain a record of the refresher training for three years, and that the record would include: 1) date of training; 2) identification of the instructor; 3) list of attendees; and 4) topics covered;
4. Under Item 9, you stated that:
- a. The proposed permanent facility was a private residence and its current use was a tool room, confirmed that the use of licensed material did not conflict with local codes or zoning laws, and committed that restricted areas would not include residential quarters, and explained how radiation levels in unrestricted areas will be controlled and monitored to comply with 10 CFR 20.1301 as described in your letter dated February 8, 1997;
 - b. A diagram of the proposed permanent facility had been provided in your application dated December 19, 1996, to include the building, the proposed restricted area(s) (including your storage area), and adjacent areas, including above and below restricted areas;
 - c. The PMDGs would be secured while located in transport vehicles (e.g. gauges would be locked in the trunk of a car, hidden from view while in a locked van, or secured by a lock and chain while in an open bed truck);
 - d. The PMDGs would be controlled by the constant surveillance of authorized users when not in storage and secured while in storage at temporary jobsites [e.g. PMDGs would be secured from damage or

Engineering Construction Support, Inc. 3

theft during periods of non-use (e.g. lunch) and PMDGs would be secured during off-duty hours while located at temporary jobsites]; and

- e. You committed to returning the gauges to the permanent storage facility as listed in Item 3 of NRC Form 313. Also, you provided assurance that the area would be posted in accordance with the requirements of 10 CFR 20.1903, that it did not present an "attractive nuisance," and that members of the general public were not exposed to radiation in excess of 10 CFR 20.1301 limits;
- 5. Under Item 10, you committed to have at least one appropriate, calibrated survey meter at each jobsite for timely evaluation of source integrity following an incident and that you had access to an appropriate survey meter for timely evaluation of source integrity following an incident at any jobsite;
 - 6. Under Item 10, Enclosure 4, you had and would maintain current copies of applicable DOT regulations and would develop and implement procedures for complying with applicable DOT regulations;
 - 7. Under Item 10, Enclosure 4, you:
 - a. Committed to have and implement your operating and emergency procedures, as described in your correspondence with NRC;
 - b. Had a revised description of the Standard Operating and Emergency Procedures that you would provide to persons responsible for the receipt, handling, storage, transportation and use of portable moisture density gauges containing licensed material. These procedures would instruct personnel in each of the topics discussed in Appendix H of Policy and Guidance Directive PG 2-07 (Rev. 0), dated September 1994, but could be more detailed to accommodate your particular situation;
 - c. Committed that you would provide a copy of your operating and emergency procedures to all users of gauging devices before they begin using the gauges; and
 - d. Committed to have a copy of your operating and emergency procedures at each jobsite; and
 - 8. Under Item 10, Enclosure 4, :
 - a. Troxler Electronics Laboratory, Inc., would conduct Radiation Safety Program Audits required by 10 CFR 20.1101;

Engineering Construction Support, Inc. 4

- b. You would conduct audits as described in appendix I of Policy and Guidance Directive PG 2-07 (Rev. 0), dated September 1994;
- c. You committed to conduct audits at intervals not to exceed 12 months and to maintain records of the audits for at least three years after the record was made;
- d. Management's would commit to review the documented results of the audit promptly after the audit's completion; and
- e. You committed to take prompt action to correct deficiencies identified during audits, to inform all personnel (including those at other locations and those working under other licenses) of the deficiencies, and the actions management expects its personnel to take to avoid similar deficiencies.

Our review of your license application request will continue upon receipt of an acknowledgement that the information contained in this letter is correct. If you believe all or some of the information in this letter to be incorrect please respond back in writing to inform us of what part you believe to be in error and what your understanding of the issue should be. Please provide two copies of your reply and refer to Mail Control No. 257342. If you wish, replies may be transmitted via electronic facsimile to (404) 331-7437. You should then mail the original copy of any electronically transmitted documents.

In order to continue prompt review of your application, we request that you submit your response to this letter within 30 calendar days from the date of this letter. If additional time to respond to this letter is needed, please request it in writing and state the reason for requesting the extension.

If you have questions about this letter, please call me at (404) 331-3932.

Sincerely,

151

Wade T. Loo
Materials License Reviewer
Division of Nuclear Materials Safety

Enclosures: As stated

Distribution w/o encls: (See page 5)

Engineering Construction Support, Inc. 5

Distribution w/o encls:
RII Docket File, DNMS
PUBLIC

OFFICE	RII:DNMS	RII:DNMS	R:DNMS			
SIGNATURE	<i>WTL</i>	<i>E/W</i>	<i>THN/OL</i>			
NAME	WLOO	EWRIGHT	T DECKER			
DATE	3/11/97	3/18/97	3/18/97			
COPY?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

OFFICIAL RECORD COPY

DOCUMENT NAME: G:\DNMS\MLIB1\257342.WL2