

MATERIALS LICENSE

Amendment No. 05

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.

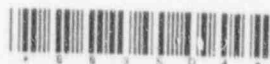
OFFICIAL RECORD COPY

Licensee		In accordance with letter dated January 28, 1997,	
1. First State Power Management, Inc.		3. License Number 07-14100-03 is amended in its entirety to read as follows:	
2. 1280 West North Street Dover, Delaware 19904		4. Expiration Date April 30, 2005	
6. Byproduct, Source, and/or Special Nuclear Material		5. Docket or Reference No. 030-20696	
7. Chemical and/or Physical Form		8. Maximum Amount that Licensee May Possess at Any One Time Under This License	
A. Cesium 137		A. Not to exceed 1000 millicuries per source and 2000 millicuries total	
A. Sealed sources			
9. Authorized use			
A. For possession and use in Kay Ray, Accuray, Ohmart, LFE, Berthold System, Inc., Data Measurement Corp., Flow Measurement Systems, Ronan Engineering or Texas Nuclear devices which have been evaluated and approved for licensing purposes and authorized for distribution under a license issued by the U.S. Nuclear Regulatory Commission or an Agreement State.			

CONDITIONS

10. Licensed material may be used only at the licensee's facilities located at 1280 West North Street, Dover, Delaware.
11. A. Licensed material shall be used by, or under the supervision of, Ernie Tomlinson.
B. The Radiation Safety Officer for this license is Ernie Tomlinson.
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.

9706160067 970405
PDR ADDOCK 03020696
C PDR



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**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number

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- 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 Sensor Services, Inc. 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.

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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 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 the Commission or an Agreement State in a registration certificate referred to in 10 CFR 32.210.
17. 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. The licensee may initially mount the device only in accordance with written instructions provided by the manufacturer; however, the device may not be used until surveyed by a person specifically licensed by the Commission or an Agreement State to install the device. The licensee may maintain, repair, or replace device components not directly associated with the sealed source, its related shielding, or the on-off mechanism, and that will not result in increased radiation levels in accessible areas.
18. 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 device with the shutter open. This survey shall be performed only by persons authorized to perform such services by the Commission or an Agreement State.
19. The licensee shall operate each device containing licensed material within the manufacturer's specified temperature and environmental limits such that the shielding and shutter mechanism of the source holder are not compromised.
20. The licensee shall assure that the shutter mechanism of each device 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 device is obtained to incorporate the manufacturer's recommendations.
21. The licensee is authorized to transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."

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22. 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 May 29, 1996
B. Letter dated July 24, 1996

For the U.S. Nuclear Regulatory Commission

ORIGINAL SIGNED BY:

SHERI A. ARREDONDO

By

Nuclear Materials Safety Branch
Region I

King of Prussia, Pennsylvania 19406

Date

APR - 5 1997

APR - 5 1997

John M. Cole
Plant Manager
First State Power Management, Inc.
1280 West North Street
Dover, Delaware 19904

Dear Mr. Cole:

This refers to your license amendment request. Enclosed with this letter is the amended 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:
SHERI A. ARREDONDO

Sheri A. Arredondo
Division of Nuclear Materials Safety

License No. 07-14100-03
Docket No. 030-20696
Control No. 124258

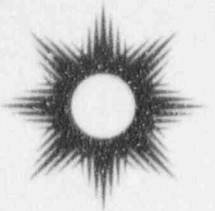
Enclosure:
Amendment No. 04

DOCUMENT NAME: R:\WPS\MLTR\L0714100

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	Arredondo						
DATE	03/22/97		03/ /97		03/ /97		03/ /97

OFFICIAL RECORD COPY



The Eastern Group

February 6, 1997

Ms. Sheri A. Arredondo
United States NRC, Region I
Division of Material Safety
475 Allendale Road
King of Prussia, PA 19406

030-20696

Dear Ms. Arredondo,

Lic #07-14100-03 This is additional correspondence for Mail Control #124258

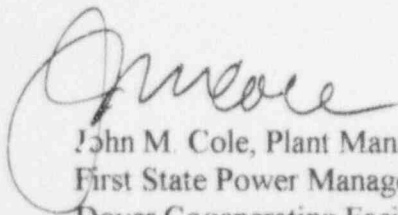
As Plant Manager I would like to submit Ernie Tomlinson as our Radiation Safety Officer. Ernie is also our onsite Maintenance Supervisor and has more than 25 years experience in Maintenance and Operations. I have selected Ernie because he has performed the duties of an RSO previously with Salt River Project in St. Johns, Az. at their Coronado Generating Station. He has had an extensive background with instruments similar to the ones we have installed on our site. Also, he will be performing all of our Radiation Safety Training onsite.

Now that we have purchased this facility, and are well established here we would like to request that all correspondence from the Nuclear Regulatory Commission be sent to the following address:

First State Power Management
Attn: John M. Cole, Plant Manager
1280 W. North Street
Dover, DE 19904

I can also be reached at 302-678-4666 or fax 302-678-4643.

Sincerely,



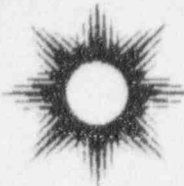
John M. Cole, Plant Manager
First State Power Management
Dover Cogenerating Facility

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ML 10

124258

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The Eastern Group

January 28, 1997

030-20696

Ms. Sheri A. Arredondo
United States Nuclear Regulatory
Commission, Region I
Division of Nuclear Materials Safety
475 Allendale Road
King of Prussia, Pennsylvania 19406

Re: Radiation Safety Officer
First State Power Management facility
Dover Delaware

07-14100-03

Dear Ms. Arredondo:

As we discussed, attached are RSO qualification statements for two current employees of the FSPM facility in Dover Delaware. Please let me know if this satisfies the requirements.

Sincerely

Bruce R. Snyder
Manager, Health, Environment and Safety

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1 2 4 2 5 8

492 W. Sycamore Road P.O. Box 178

Tel: (614) 387-6060

Crown Point, Pennsylvania 16031

Fax: (614) 387-4902

REC'D IN LAS FEB 12 1997

1-9-97

I JOHN G BARNHARD HAVE 23 YEARS EXPERIENCE
AS AN INST TECH / START UP ENGINEER / INST DESIGNER
IN FOSSIL FUEL / NUCLEAR POWER / PETRO CHEM /
PHARMACEUTICALS / PULP & PAPER. AND FAMILIAR
WITH THE GUIDELINES DEALING NUCLEAR MEASURING
DEVICES

JB

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 20555-0001FIRST STATE POWER MANAGEMENT, INC.
ATTN: BRUCE R. SNYDER
MANAGER, HEALTH, ENVIRONMENT & SAFETY
492 W. GYCAMORE ROAD
P.O. BOX 178
SNOW SHOE, PA 16874

TYPE OF ACTION

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

REQUESTED DATE

1-28-97

LICENSE NUMBER

07-14100-03

CONTROL NUMBER

124258

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

BRENDA BROWN 301-415-8055

BB BA
3/10/97

Distribution:

Region I LFARE R/F
Pending OC/DAF R/F
BBrown OC/DAF S/F (LF-3.2.7)

DATE

3-10-97

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 REQD: N
.....

1997 FEB 25 AM 10:32

LICENSE FEE TRANSMITTAL

A. REGION

I

1. APPLICATION ATTACHED

APPLICANT/LICENSEE: FIRST STATE POWER MANAGEMENT, INC.
RECEIVED DATE: 970212
DOCKET NO: 3020696
CONTROL NO.: 124258
LICENSE NO.: 07-14100-03
ACTION TYPE: AMENDMENT

2. FEE ATTACHED

AMOUNT: -----
CHECK NO.: -----

3. COMMENTS

SIGNED *M. A. Carlin*
DATE *2/12/97*

*Reviewed
2/25/97*

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

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

2. CORRECT FEE PAID. APPLICATION MAY BE PROCESSED FOR:

AMENDMENT -----
RENEWAL -----
LICENSE -----

3. OTHER -----

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

Log	<i>Feb 14</i>
Revised	<i>EASTERN POWER CORP.</i>
Check No.	<i>14613</i>
Amount	<i>\$300</i>
Fee Category	<i>3P</i>
Type of Fee	<i>AMS</i>
Date Check Rec'd	<i>4/4/97</i>
Date Completed	<i>4/4/97</i>
By:	<i>BS</i>

07 for 4/4/97