



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION III
2443 WARRENVILLE RD. SUITE 210
LISLE, IL 60532-4352

October 28, 2021

Trevor D. Shaheen
Corporate RSO
Soil and Materials Engineers, Inc.
d/b/a SME
43980 Plymouth Oaks Blvd.
Plymouth, MI 48170

Dear Mr. Shaheen:

This letter is regarding your request dated October 12, 2021, in which you requested an amendment to your U.S. Nuclear Regulatory Commission (NRC) Materials License No. 21-17158-02.

The NRC's guidance document pertinent to your license, which I refer to below as "the guidance", is NUREG-1556, Volume 1, Rev. 2, dated June 2016, "Consolidated Guidance About Materials Licenses, Program – Specific Guidance About Portable Gauge Licenses." This guidance is available on the NRC Web site at:

<https://www.nrc.gov/docs/ML1617/ML16175A375.pdf>

Upon review of your request, I identified the following areas requiring additional or clarifying information.

1. Section 8.9, "Facilities and Equipment," of the guidance identifies that applicants must provide a facility diagram for each permanent portable gauge storage location.

The submitted facility diagram depicting your proposed facility did not provide all information relevant to public dose and security as discussed in Sections 8.10.5, "Public Dose," and 8.10.6, "Operating, Emergency, and Security Procedures," of the guidance.

Please resubmit the facility diagram identifying all adjacent areas. If your storage room has an exterior wall, please identify areas outside of your facility (e.g., parking lot, sidewalk, greenspace, etc.). If your facility is a multistory and/or multitenant building, identify all floors and their uses, including areas occupied by other tenants. Further, if your portable gauging devices are stored within a cabinet or similar container, please submit a diagram and description of the container.

As depicted in Figure 8-4, "Storing Gauges," of Section 8.10.5 of the guidance, portable gauging devices should be stored away from occupied areas. In addition, Title 10 Code of Federal Regulations (10 CFR) §30.34(i) requires that portable gauging devices be secured against unauthorized removal using a minimum of two independent physical controls that form tangible barriers.

2. Section 8.3, "Address(es) where Licensed Material will be Used or Possessed," of the guidance specifies that you should identify:

- all address(es) where portable gauging devices will be stored; and
- whether portable gauging devices will be used at temporary jobsites.

Item 3 of your request appears to inadvertently omit temporary jobsites.

If you would like to retain continuing authorization to use portable gauging devices at temporary jobsites, please state this in your response. In accordance with the guidance, this may be stated as, "temporary jobsites anywhere in the U.S. where the NRC maintains jurisdiction."

In accordance with [10 CFR §2.390 of the NRC's "Rules of Practice,"](#) a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <https://www.nrc.gov/reading-rm/adams.html>.

To continue review of your request, please submit your response within 30 calendar days from the date of this letter. In your response, please refer to the license, docket, and control number specified below. I will assume that you do not wish to further pursue this licensing action if I do not receive a reply within the specified timeframe noted above.

If you have questions, require additional time to respond, or require clarification on any of the information stated above, I encourage you to contact me at Jason.Kelly@nrc.gov or at (630) 829-9737.

Sincerely,

Jason M. Kelly, MPH
Health Physicist
Materials Licensing Branch

Docket No.: 030-19574
License No.: 21-17158-02
Control No.: 628908