



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION III
2443 WARRENVILLE RD. SUITE 210
LISLE, IL 60532-4352

March 29, 2022

Pradip Tailor
Radiation Safety Officer
Testing Service Corporation
360 S. Main Place
Carol Stream, IL 60188

Dear Mr. Tailor:

I am reviewing the application dated February 2, 2022, signed by John T. Massa, President, in which you requested the renewal of U.S. Nuclear Regulatory Commission (NRC) Materials License No. 12-17951-02.

The NRC's guidance document for your proposed type of 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 application, I identified the following areas requiring additional or clarifying information:

1. NRC Form 313, "Application for Materials License," indicates that the license application should be prepared following the instructions provided in the current volume of NUREG-1556, "Consolidated Guidance About Materials Licenses."

Your application was not prepared in accordance with the guidance and did not adequately address all required items. Therefore, you may revise and resubmit the application using Appendix B, "Suggested Format for Providing Information Requested in Items 5 through 11, of the U.S. NRC Nuclear Regulatory Commission Form 313," from the guidance.

Additional items in this letter address the specific areas in which additional or clarifying information is requested. Further information regarding completion of the license application may be found in Section 8, "Contents of an Application," of the guidance.

2. Section 8.7.1, "Radiation Safety Officer," of the guidance identifies that the Radiation Safety Officer (RSO), is responsible for the oversight of licensed operations. The RSO must have sufficient organizational authority and management prerogative to enforce appropriate radiation protection rules, standards, and practices.

To formally establish the organizational authority of your office, please submit a current Delegation of Authority signed by a management representative. A model Delegation of Authority is provided in Appendix D, "Typical Duties and Responsibilities of the Radiation Safety Officer," of the guidance.

3. Section 8.8.1, "Authorized Users," of the guidance, states that individual gauge users must have adequate training and experience in the use of portable gauging devices. Acceptable training and experience may include either:

- the completion of a portable gauge manufacturer's course for users and hands-on training in the use of portable gauges; or
- an equivalent course that meets the criteria in Appendix C of the guidance.

Item 8 of the application identifies that authorized users will either complete a manufacturer's course or your in-house training meeting the criteria in Appendix D. The reference to Appendix D is unclear and needs clarification.

The guidance identifies that you may provide training to authorized users through a manufacturer's course or by completion of an equivalent course meeting the criteria in Appendix C, "Criteria for Acceptable Training Courses for Portable Gauge Users." If you intended to reference Appendix C of the guidance, you may revise your statement to match that identified in the Response from Applicant section of the guidance as follows:

"Before using licensed materials, authorized users will have successfully completed one of the training courses described under "Criteria" in the section titled "Training for Individuals Working in or Frequenting Restricted Areas" in NUREG-1556, Volume 1, Revision 2, 'Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Portable Gauge Licenses.'"

4. Section 8.3, "Address(es) where Licensed Material will be Used or Possessed," of the guidance and Item 3 of the NRC Form 313 (Application for Materials License), require that you specify the address where licensed materials will be used or possessed. For portable gauge applicants, it is common for "temporary job sites" to be included in the request.

Your application does not identify if you intend to continue using portable gauging devices at temporary job sites.

If applicable, please clearly state in Item 3 of the application that you intend to use and possess licensed material at temporary job sites. If seeking authorization to use temporary job sites, the guidance identifies that the address may be stated as, "temporary jobsites anywhere in the U.S. where the NRC maintains jurisdiction."

Note that additional permanent storage sites identified in your request are within Illinois and unless these locations are within exclusive Federal jurisdiction, they are subject to licensing by the Illinois Emergency Management Agency.

5. Section 8.10.3, "Material Receipt and Accountability," of the guidance states that licensed materials must be tracked "from cradle to grave" to ensure gauge accountability; identify when sealed sources/gauges could be lost, stolen, or misplaced; and ensure that possession limits listed on the license are not exceeded.

Item 10 of the application identifies that a physical inventory will be performed every 6 months.

Your application also needs to confirm that you will ensure accountability of licensed materials at all times. As indicated in the Response from Applicant section of the guidance an acceptable response is:

“We will develop, implement and maintain procedures for ensuring accountability of licensed materials at all times.”

6. Section 8.10.4, “Occupational Dose,” of the guidance identifies that licensees must evaluate the potential occupational exposure of all workers and monitor occupational exposure. When personnel monitoring is required, for all personnel dosimeters that require processing to determine the radiation dose, licensees must use dosimeters supplied by an NVLAP-approved processor.

Your application identifies your intent to discontinue personnel monitoring for some personnel that are not likely to receive a radiation dose in excess of the limits specified in 10 CFR §20.1502(a). Your application includes records supportive of your request. As indicated in the guidance, these records should be maintained on file for inspection. Periodically, you should review prior evaluations and revise them as needed to ensure that any assumptions (e.g., workload and occupancy times) are up-to-date and accurate.

As indicated in the “Response from Applicant,” area of this section, please revise and resubmit your application providing the following:

- the statement: “We will maintain, for inspection by the NRC, documentation demonstrating that unmonitored individuals are not likely to receive a radiation dose in excess of the limits in 10 CFR 20.1502(a)”; and/or
 - the statement: “We will provide and require the use of individual monitoring devices (dosimetry). All personnel dosimeters that require processing to determine the radiation dose will be processed and evaluated by a NVLAP-approved processor.”
7. Section 8.10.6, “Operating, Emergency and Security Procedures,” of the guidance states that applicants must develop, implement, and maintain Operating, Emergency, and Security (OE&S) Procedures.

Your application does not include complete OE&S Procedures, which should address all of the following components:

- Instructions for using the portable gauge and performing routine maintenance according to the manufacturer’s recommendations and instructions;
- Instructions for maintaining security during storage and transportation;
- Instructions to keep the gauge under control and constant surveillance during field operations;
- Steps to take to keep radiation exposures ALARA;
- Steps to maintain accountability during use;
- Steps to control access to a damaged gauge; and
- Steps to take and whom to contact when a gauge has been damaged

Acceptable procedures are included in Appendix G, "Operating, Emergency and Security Procedures," of the guidance. In your response, you may state that you will implement and maintain the aforementioned procedures, or you may state that you will develop, implement and maintain equivalent procedures satisfying the criteria identified in Section 8.10.6 of the guidance. You may also respond by resubmitting your OE&S Procedures, expanding on the level of detail and including all required components.

8. Section 8.10.7, "Leak Tests," of the guidance identifies that the U.S. NRC requires testing to determine whether there is any radioactive leakage from the sealed source in the portable gauging device. Leak tests must be conducted by an organization licensed by the U.S. NRC or an Agreement State that does not exceed the maximum interval specified in the device's SS&D Registry Sheet. Licensees must also maintain records of leak test results.

Your application includes the following statement: "Sealed sources shall be leak tested at intervals not to exceed 12 months." Though, your statement does not identify your procedures for arranging for, or performing, the analysis of collected leak test samples and maintaining records of leak test results.

As indicated in the "Response from Applicant," area of this section, revise and resubmit your application providing one of the following:

- the statement, "Leak tests will be performed at intervals approved by the NRC or an Agreement State and specified in the Sealed Source and Device registration certificate. Leak tests will be performed by an organization licensed by the NRC or an Agreement State to provide leak testing services to other licensees; or by using a leak test sample collection kit supplied by an organization licensed by the NRC or an Agreement State to provide leak test kits and/or sample analysis services to other licensees and according to the kit supplier's instructions. Records of leak test results will be maintained"; or
 - the statement, "We will implement the model leak test program published in Appendix I of NUREG-1556, Volume 1, Revision 2, 'Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Portable Gauge Licenses.' Records of leak tests will be maintained"; or
 - A description of the alternative equipment and/or procedures for determining whether there is any radioactive leakage from sources contained in gauges and the statement: "Records of leak tests will be maintained."
9. Section 8.10.8, "Maintenance," of the guidance identifies that nonroutine maintenance or repair (beyond routine cleaning and lubrication) that involves detaching the source or source rod from the device, and any other activities during which personnel could receive radiation doses exceeding NRC limits, must be performed by the gauge manufacturer or a person specifically authorized by the NRC or an Agreement State.

Your application states that you will implement and maintain procedures for routine maintenance for your portable gauging devices according to the manufacturer's instructions. Though, your application does not address the performance of nonroutine maintenance.

Please revise your application and submit either of the following:

- the statement: "The gauge manufacturer, or other person licensed by the NRC or an Agreement State will perform nonroutine maintenance or repair operations that require detaching the source or source rod from the gauge"; or
- a request to perform this work "in-house," using the information in Appendix F of the guidance to support the request.

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 application, I request that you submit your response to this letter 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.: 030-32101
License No.: 12-17951-02
Control No.: 629989