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

November 18, 2022

Bryan W. Davis
Radiation Safety Officer
Mikon Corporation
4414B S. 40th St.
St. Joseph, MO 64503

Dear Mr. Davis:

This letter is regarding your application dated July 21, 2022 and letter dated October 13, 2022, requesting the renewal of your U.S. Nuclear Regulatory Commission (NRC) Materials License No. 24-24954-01.

The U.S. NRC's guidance document for your 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 U.S. NRC website at:
https://www.nrc.gov/docs/ML1617/ML16175A375.pdf

Upon review of your requests, I identified the following areas where additional or clarifying information is yet needed:

1. Section 8.5.1, "Sealed Sources and Devices," of the guidance, identifies that the application must provide the radionuclide, nominal activity for each requested sealed source, manufacturer's or distributor's name, model number of each device and the number of gauges for each model.

   Your application identified the transfer/disposal of several portable gauging devices, including the Troxler Electronic Laboratories, Inc., Model 1352 and the CPN International Division of InstroTek, Inc., Model 501.

   Clarify if you are seeking continuing authorization to possess and use the Troxler Electronic Laboratories, Inc., Model 1352 and the CPN International Division of InstroTek, Inc., Model 501, portable gauging devices.

   Further, identify the number of applicable models that you would like to retain authorization to possess and use, also accounting for the Troxler Electronic Laboratories, Inc., Model 1351 and CPN International Division of InstroTek, Inc., Model MC Series PORTAPROBE portable gauging devices.

2. Section 8.10.5, "Public Dose," of the guidance, identifies that the license must ensure that portable gauging devices must be used, transported and stored in such a way that individual members of the public will not receive more than 100 millirem in a year, and the dose in any unrestricted area will not exceed 2 millirem in any one hour.

Upon review of the submitted facility diagram and description, it appears that your portable gauge storage area is near an area occupied by an individual member of the public. It appears that you have accounted for this location in your individual members of the public dose compliance study. Though, it is unclear if your individual members of the public dose compliance accounts for compliance with both the annual limit of 100 millirem in a year and the unrestricted area dose limit of 2 millirem in any one hour.

To ensure compliance with Title 10 of the *Code of Federal Regulations* (10 CFR) §20.1301, "Dose limits for individual members of the public," maintain records of calculations and/or measurements demonstrating compliance with the applicable dose limits for inspection by the agency. Applicable guidance and acceptable methods for demonstrating compliance with the individual members of the public dose limits are provided in Part 2 of Appendix H, "Dosimetry-Related Guidance," of the guidance

As this item is only advisory, no specific response is needed to address this item.

3. Section 8.10.6, "Operating, Emergency and Security Procedures," of the guidance, identifies that licensee's using portable gauging devices used for measurements with an unshielded source extended more than 3-feet beneath the surface to develop and implement procedures specifically addressing the following:

   - use of surface casing or alternative procedures to ensure that the source can move freely in the hole;
   - instructions to follow to retrieve a stuck source; and
   - reporting to the U.S. NRC when a stuck source cannot be retrieved in accordance with 10 CFR §30.50(b)(2).

   Your response did not provide confirmation, or otherwise demonstrate, that your Operating, Emergency and Security Procedures addresses all the bulleted items above that are drawn from Criteria specified in Section 8.10.6 of the guidance addressing the use of depth gauging devices.

   In your response, please confirm that applicable revisions to your procedures will be made to address the above Criteria specified in Section 8.10.6 of the guidance, particularly including the use of surface casing or alternative procedures to ensure that the source can move freely in the hole.

   It is not necessary to provide your Radiation Safety Program with your response. Note that the additional information provided in your Radiation Safety Program is either redundant to your procedures and commitments elsewhere included in your license application or is otherwise not required to be submitted with your application for license renewal. The submission of these selections from your Radiation Safety Program represents a binding commitment upon your licensed operations. Therefore, you may either request to rescind these procedures or you may acknowledge your intention that the submitted selections from your Radiation Safety Program be received as binding commitments upon your licensed operations.

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 U.S. NRC website at https://www.nrc.gov/reading-rm/adams.html.

To continue review of your request, please submit your response to this letter within 15 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 (630) 829-9737 or via e-mail at Jason.Kelly@nrc.gov.

Sincerely,

Digitally signed by Jason M. Kelly
Date: 2022.11.18 13:15:33 -06'00'
Adobe Acrobat version: 2022.003.20263

Jason M. Kelly, MPH
Health Physicist
Materials Licensing Branch

Docket No.: 030-29962
License No.: 24-24954-01
Control No.: 631910