



December 21, 2007

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DEC 27 2007

DNMS

Mrs. Jacqueline D. Cook, Senior Health Physicist  
Nuclear Division Licensing Branch, Region IV  
United States Nuclear Regulatory Commission  
611 Ryan Plaza Drive, Suite 400  
Arlington, Texas 76011

Re: Amendment #6, Change of Organization's Name from Zachry Construction Corporation to Zachry Industrial, Inc., Effective 01-01-2008, License No. 42-26826-01

Dear Mrs. Cook:

We provide the following information as Amendment #6 to Zachry Construction Corporation's U.S. NRC Radiological License No. 42-26826-01. Effective January 1, 2008, the name of Zachry Construction Corporation will change to Zachry Industrial, Inc. There will be no change in the conditions under which we operate.

Sincerely;

Franklin D. Anderson, CSP, CIH  
Corporate Safety & Industrial Hygiene Manager, & Corp. RSO

CC: John Bowman, Director of Technical Services and Environmental Affairs  
Mark Brown, QA /QC Manager, & Operations RSO  
S. Hoech, Sr. VP Employee Relations

File: MSWord/S/Franklin/Radiation/NRC/Amendment #6, Name Change of Zachry Construction Corporation, to Zachry Industrial, Inc., Dec. 21, 2007.

From: Origin ID: SVZA (210)475-8806  
 Tracy Bishop  
 Zachry Construction Corporation  
 P.O. Box 240130



San Antonio, TX 78221

Ship Date: 21DEC07  
 ActWgt: 1 LB  
 System#: 3104251/INET7091  
 Account#: S \*\*\*\*\*

Delivery Address Bar Code



Ref # 770.10  
 Invoice #  
 PO #  
 Dept #

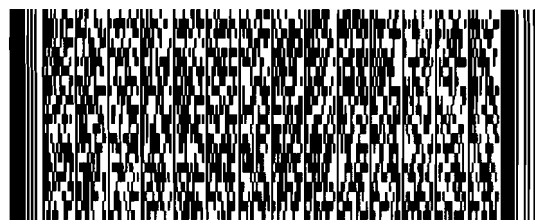
SHIP TO: (817)860-8132 **BILL SENDER**  
**Jacqueline Cook**  
**Nuclear Divison Licensing Branch**  
**611 RYAN PLAZA DR STE 400**

**ARLINGTON, TX 760114005**

CLS98087/2125

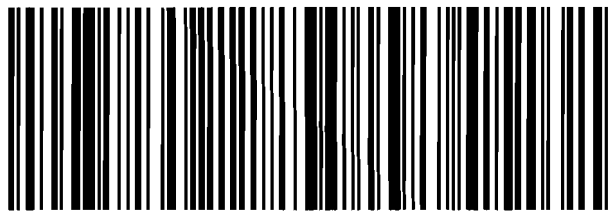
TRK# 7988 3786 7580  
 0201

**MON - 24DEC A1**  
**STANDARD OVERNIGHT**



**AD-FWHA**

**DFW**  
**TX-US**  
**76011**



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Sincerely;

A handwritten signature in black ink, appearing to read 'Franklin D. Anderson', with a horizontal line extending to the right.

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Corporate Safety & Industrial Hygiene Manager, & Corp. RSO

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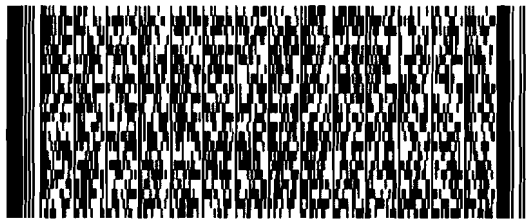
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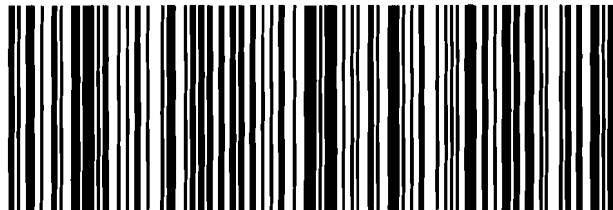


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## ACCEPTANCE REVIEW MEMO (ARM)

**Licensee:** Zachry Construction Corporation      **License No.:** 42-26826-01  
**Docket No.:** 030-29132      **Mail Control No.:** 471615  
**Type of Action:** Amendment      **Date of Requested Action:** December 21, 2007  
**Reviewer Assigned:** ARM reviewer(s): J. Cook/R. Torres

Response	Deficiencies Noted During Acceptance Review
	[ ] Open ended possession limits. Submit inventory. Limit possession. [ ] Submit copies of latest leak test results. [ ] Add IC L.C., split cover letter from license, add SUNSI markings to license. [ ] Confirm with licensee if they have NARM material.
	<b>REVIEWER:</b> Have licensee complete Appendix F, NUREG-1556, Vol. 15.

**Reviewer's Initials:** \_\_\_\_\_ **Date:** \_\_\_\_\_

<input type="checkbox"/> Yes	<input type="checkbox"/> No	Request for unrestricted release Group 2 or >. Consult with Bravo Branch.
<input type="checkbox"/> Yes	<input type="checkbox"/> No	Termination request < 90 days from date of expiration
<input type="checkbox"/> Yes	<input type="checkbox"/> No	Expedite (medical emergency, no RSO, location of use/storage not on license, RAM in possession not on license, other)
<input type="checkbox"/> Yes	<input type="checkbox"/> No	TAR needed to complete action.
<b>Branch Chief's and/or HP's Initials:</b> _____		<b>Date:</b> _____

SUNSI Screening according to RIS 2005-31		
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<b>Sensitive and Non-Publicly Available</b> if <u>any</u> item below is checked
General guidance:		
<input type="checkbox"/> RAM = or > than Category 3 (Table 1, RIS 2005-31), use Unity Rule		
<input type="checkbox"/> Exact location of RAM (whether = or > than Category 3 or not)		
<input type="checkbox"/> Design of structure and/or equipment (site specific)		
<input type="checkbox"/> Information on nearby facilities		
<input type="checkbox"/> Detailed design drawings and/or performance information		
<input type="checkbox"/> Emergency planning and/or fire protection systems		
Specific guidance for medical, industrial and academic (above Category 3):		
<input type="checkbox"/> RAM quantities and inventory		
<input type="checkbox"/> Manufacturer's name and model number of sealed sources & devices		
<input type="checkbox"/> Site drawings with exact location of RAM, description of facility		
<input type="checkbox"/> RAM security program information (locks, alarms, etc.)		
<input type="checkbox"/> Emergency Plan specifics (routes to/from RAM, response to security events)		
<input type="checkbox"/> Vulnerability/security assessment/accident-safety analysis/risk assess		
<input type="checkbox"/> Mailing lists related to security response		
<b>Branch Chief's and/or HP's Initials:</b> <u>   <i>JTC</i>   </u>		
<b>Date:</b> <u>   12/28/07   </u>		

## Checklist to Ensure That Radioactive Material Will Be Used as Intended

### Applicant Information:

Control No. 471615

Name: Zachry Construction Corporation	Type of Request: Amendment Program Code(s): 03121	
Location: TX	License No.: 42-26826-01	Docket No.: 030-29132

### STEP 1, ITEM A - INITIAL SCREENING

<b>Instructions for Step 1:</b> Complete Step 1 for all applications. If Step 1, Items A and B, are "YES" then do not complete Step 2. Sign and date the completed form and add it to ADAMS as Non-Sensitive and Non-Publicly Available. If a "NO" response is indicated for Item A or Item B, add the completed form to ADAMS as Sensitive and Non-Publicly Available, and complete Step 2 (Additional Screening). If the type of use is subject to a Security Order, complete Step 3. Item A without delay. If the additional requirements for increased controls will be applied or voided, complete Step 3. Item B, without delay.	YES or NO
A. The applicant is a known entity or a licensee transferring control to a known entity. This determination has been made using the screening criteria in Worksheet A below.	Yes

### Worksheet A

<b>Instructions for Worksheet A:</b> Answer each of the 6 questions below by placing a "Yes", "No", or "NA" response in the column on the right. Best practices for a reviewer are provided after each of the questions. If the answer to any of the 6 questions is "Yes" then indicate "Yes" in Step 1, Item A, above. If the answers to all of the 6 questions is "No" then indicate "No" in Step 1, Item A, above. <b>NOTE</b> - If the reviewer has personal knowledge of the applicant's veracity, this can be taken into account in responding to any questions. For example, if the applicant's management and/or RSO have been associated with a current or previous NRC or Agreement State license, then the applicant may be considered as a known entity.	YES, NO, or NA
1. <b>Does the applicant have a current Agreement State or NRC license?</b> The reviewer should 1) confirm that a valid license/registration/authorization exists for the applicant; and 2) compare the current license to the application to verify that the application represents a reasonable expansion of the licensee's operation (i.e., medical facility adding a gamma knife or an Agreement State licensee obtaining an NRC license in order to work in NRC jurisdiction without filing reciprocity).	Yes
2. <b>Does the applicant have a current Agreement State or NRC license at another location and the new application represents the addition of a new facility within the scope of the licensee's core business?</b> The reviewer should contact the appropriate licensing authority to confirm that a valid license/registration/authorization exists for the applicant and the corporate office of the licensee to verify that it has knowledge of and approves of the new application.	—
3. <b>Does the applicant have a current State or Federal government license, registration, authorization, etc., for other operations within the scope of its proposed license activities?</b> (e.g., a company authorized by a State for mining that is now requesting authorization to use fixed gauges). The reviewer should contact the appropriate government office to confirm that the license, registration, authorization, etc., is valid; and the applicant's corporate office to confirm that it has knowledge of and approves of the new application to possess radioactive materials.	—
4. <b>Is the applicant a local, State or Federal government agency?</b> The reviewer should contact the local, State or Federal government office to confirm that the applicant is a government entity.	—
5. <b>Does the application only involve the relocation of an existing licensee, or its mailing address, to another State?</b> This includes new licenses created from existing licenses listing locations in multiple States, in preparation for transfer of licenses to States that will shortly sign an Agreement with the NRC.	—
6. <b>Is the application only the result of a licensee failing to submit a renewal application in a timely manner?</b>	—

**STEP 1, ITEM B - INITIAL SCREENING CONTINUED**

<p>B. The applicant is requesting certain radionuclides and quantities that are less than the Risk Significant Quantity (TBq) values in Worksheet B, below, as "highlighted" by the reviewer, or is currently subject to a security order or additional requirements for increased controls. If "Yes", there is no need to proceed further</p>	<p>N/A</p>
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**Worksheet B - Risk Significant Quantities**

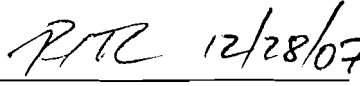
(Category 2 Quantities, IAEA Safety Guide No. RS-G-1.9, Categorization of Radioactive Sources, August 2005)

Radionuclide	Risk Significant Quantity (TBq <sup>1</sup> )	Risk Significant Quantity (Ci <sup>1</sup> )	Radionuclide	Risk Significant Quantity (TBq <sup>1</sup> )	Risk Significant Quantity (Ci <sup>1</sup> )
Am-241	0.6	16	Pm-147	400	11,000
Am-241/Be	0.6	16	Pu-238	0.6	16
Cf-252	0.2	5.4	Pu-239/Be	0.6	16
Cm-244	0.5	14	Ra-226 <sup>2</sup>	0.4	11
Co-60	0.3	8.1	Se-75	2	54
Cs-137	1	27	Sr-90 (Y-90)	10	270
Gd-153	10	270	Tm-170	200	5,400
Ir-192	0.8	22	Yb-169	3	81

<sup>1</sup> The primary values are TBq. The curie (Ci) values are for informational purposes only.  
<sup>2</sup> The Atomic Energy Act, as amended by the Energy Policy Act of 2005, authorizes NRC to regulate Ra-226 and NRC is in the process of amending its regulations for discrete sources of Ra-226.

<p>Calculations of the Total Activity or the Unity Rule were completed.  <b>NOTE</b>—If an amendment of an existing license is being requested, the calculations will include the previously authorized quantities for the radionuclide(s).</p>	<p>Yes, No, or Not Applicable (NA)</p>
<p>Total Activity—multiple activities are requested for a single radionuclide and the sum of the activities is less than the Risk Significant Quantity (TBq) for the radionuclide.</p>	<p>—</p>
<p>Unity Rule—multiple radionuclides are requested and the sum of the ratios is less than 1.0, e.g., [(total activity for radionuclide A) ÷ (risk significant quantity for radionuclide A)] + [(total activity for radionuclide B) ÷ (risk significant quantity for radionuclide B)] &lt; 1.0.</p>	<p>—</p>

**Signature and Date for Step 1:**

  
 License Reviewer and Date

BETWEEN: : (FOR LFMS USE)  
 : INFORMATION FROM LTS  
 : -----  
 License Fee Management Branch, ARM : Program Code: 03121  
 and : Status Code: 0  
 Regional Licensing Sections : Fee Category: 3P  
 : Exp. Date: 20110831  
 : Fee Comments: \_\_\_\_\_  
 : Decom Fin Assur Req'd: N  
 : .....

LICENSE FEE TRANSMITTAL

A. REGION

1. APPLICATION ATTACHED  
 Applicant/Licensee: ZACHRY CONSTRUCTION CORPORATION  
 Received Date: 20071227  
 Docket No: 3029132  
 Control No.: 471615  
 License No.: 42-26826-01  
 Action Type: Amendment

2. FEE ATTACHED  
 Amount:             
 Check No.:           

3. COMMENTS

Signed             
 Date           

*RITZ 12/31/07*

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered /\_/)

1. Fee Category and Amount: \_\_\_\_\_

2. Correct Fee Paid. Application may be processed for:  
 Amendment \_\_\_\_\_  
 Renewal \_\_\_\_\_  
 License \_\_\_\_\_

3. OTHER \_\_\_\_\_

Signed \_\_\_\_\_  
 Date \_\_\_\_\_