

U.S. NUCLEAR REGULATORY COMMISSION**Date:** 01/10/2012**TELEPHONE CONVERSATION RECORD****Mail Control
or Report No(s).**

NA

License No(s).

NA

Docket No(s).

99990001

Name of Licensee: Environmental Assessment & Solutions, Inc.

Name of Participant(s): Charles Schwartz, President
Scott Wilson, RI Health Physicist

Telephone No. 800-327-5457

Subject: Request for information regarding NARM possession and NRC license.
(NOTE: This will be used as the Documents Title in ADAMS)

Individuals were called in an effort to reconcile the lists of NARM registrants provided by Connecticut regulatory authorities and the NRC database of licensees authorized to possess byproduct material. The following information was obtained and communicated to the individuals during the call:

Company Address: Environmental Assessment & Solutions, Inc., 144 Euclid Ave, Ardsley, NY

Contact name and phone number: Charles Schwartz, President 800-327-5457

1. Do you possess any radioactive material?
ANSWER: No. We have access to an RMD Model LPA-1 xrf device (Co-57) that we rent from another NY company. We use the device infrequently in the State of Connecticut.
2. Are you authorized by NRC license to possess the gauges?
ANSWER: No. We do not have an NRC license. We were authorized by Connecticut registration. We did not know we needed an NRC license.
3. Is the gauges labeled and stored with two independent physical controls to prevent unauthorized access?
ANSWER: Yes. The gauge is labeled and stored with two independent controls. No unauthorized individuals have access to the gauge or the keys to the storage location.
4. Is the device stored in a manner that would ensure exposure to members of the public is less than 2 mrem/hr and 100 mrem/yr?
ANSWER: Yes. The gauges are stored away from areas normally occupied by individuals.

(continued)

5. Effective on August 7, 2009, regulatory authority for licensing of your gauges is under the jurisdiction of NRC. This means that individuals possessing radioactive materials such as the Cobalt-57 contained in your

xrf device needed to either apply for an NRC license or disposition the regulated materials. Why didn't you apply for an NRC license?

ANSWER: We were not aware of the NRC's authority and did not know that we needed to apply for NRC license until you informed us during this call.

6. The NRC now has regulatory authority of the licensed material in your possession. You must not use it within NRC jurisdiction until a license is issued.

ANSWER: We will suspend the use of our devices within NRC jurisdiction until we file for reciprocity or a specific license.

NOTE: Blake Welling, DNMS MS&I Branch Chief was informed of the results of this conversation.

Action Required: Document this telephone record in the RI NARM folder in ADAMS (ID No. 1303408177).

Document Availability:

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Scott Wilson

/ RA /

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