

file

49-29438-01

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| NRC FORM 313 (1-2012) 10 CFR 30, 32, 33, 34, 35, 36, 39, and 40 | U.S. NUCLEAR REGULATORY COMMISSION | APPROVED BY OMB: NO. 3150-0120 | EXPIRES: (03/31/2012) |
| APPLICATION FOR MATERIALS LICENSE | | | |
| Estimated burden per response to comply with this mandatory collection request: 4.3 hours. Submittal of the application is necessary to determine that the applicant is qualified and that adequate procedures exist to protect the public health and safety. Send comments regarding burden estimate to the Information Services Branch (T-5 F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by internet e-mail to Infocollects.Resource@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0120), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection. | | | |

INSTRUCTIONS: SEE THE APPROPRIATE LICENSE APPLICATION GUIDE FOR DETAILED INSTRUCTIONS FOR COMPLETING APPLICATION. SEND TWO COPIES OF THE ENTIRE COMPLETED APPLICATION TO THE NRC OFFICE SPECIFIED BELOW.

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| APPLICATION FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH: OFFICE OF FEDERAL & STATE MATERIALS AND ENVIRONMENTAL MANAGEMENT PROGRAMS DIVISION OF MATERIALS SAFETY AND STATE AGREEMENTS U.S. NUCLEAR REGULATORY COMMISSION WASHINGTON, DC 20555-0001 ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS: IF YOU ARE LOCATED IN: ALABAMA, CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, FLORIDA, GEORGIA, KENTUCKY, MAINE, MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, NORTH CAROLINA, PENNSYLVANIA, PUERTO RICO, RHODE ISLAND, SOUTH CAROLINA, TENNESSEE, VERMONT, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA, SEND APPLICATIONS TO: LICENSING ASSISTANCE TEAM DIVISION OF NUCLEAR MATERIALS SAFETY U.S. NUCLEAR REGULATORY COMMISSION, REGION I 475 ALLENDALE ROAD KING OF PRUSSIA, PA 19406-1415 | IF YOU ARE LOCATED IN: ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, SEND APPLICATIONS TO: MATERIALS LICENSING BRANCH U.S. NUCLEAR REGULATORY COMMISSION, REGION III 2443 WARRENVILLE ROAD, SUITE 210 LISLE, IL 60532-4352 ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, HAWAII, IDAHO, KANSAS, LOUISIANA, MISSISSIPPI, MONTANA, NEBRASKA, NEVADA, NEW MEXICO, NORTH DAKOTA, OKLAHOMA, OREGON, PACIFIC TRUST TERRITORIES, SOUTH DAKOTA, TEXAS, UTAH, WASHINGTON, OR WYOMING, SEND APPLICATIONS TO: NUCLEAR MATERIALS LICENSING BRANCH U.S. NUCLEAR REGULATORY COMMISSION, REGION IV 1600 E. LAMAR BOULEVARD ARLINGTON, TX 76011-4511 |
|--|--|

PERSONS LOCATED IN AGREEMENT STATES SEND APPLICATIONS TO THE U.S. NUCLEAR REGULATORY COMMISSION ONLY IF THEY WISH TO POSSESS AND USE LICENSED MATERIAL IN STATES SUBJECT TO U.S. NUCLEAR REGULATORY COMMISSION JURISDICTIONS.

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|---|---|
| 1. THIS IS AN APPLICATION FOR <i>(Check appropriate item)</i> <input checked="" type="checkbox"/> A. NEW LICENSE <input type="checkbox"/> B. AMENDMENT TO LICENSE NUMBER _____ <input type="checkbox"/> C. RENEWAL OF LICENSE NUMBER _____ | 2. NAME AND MAILING ADDRESS OF APPLICANT <i>(Include ZIP code)</i> K&E Engineering dba Rio Verde Engineering PO Box 642 804 Hoback St. Pinedale, WY 82941 |
| 3. ADDRESS WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED Rio Verde Engineering PO Box 642 804 Hoback St. Pinedale, WY 82941 | 4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION Mark C. Eatinger TELEPHONE NUMBER (307) 367-2826 |

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|---|---|
| SUBMIT ITEMS 5 THROUGH 11 ON 8-1/2 X 11" PAPER. THE TYPE AND SCOPE OF INFORMATION TO BE PROVIDED IS DESCRIBED IN THE LICENSE APPLICATION GUIDE. | |
| 5. RADIOACTIVE MATERIAL a. Element and mass number; b. chemical and/or physical form; and c. maximum amount which will be possessed at any one time. | 6. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED. |
| 7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING EXPERIENCE. | 8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS. |
| 9. FACILITIES AND EQUIPMENT. | 10. RADIATION SAFETY PROGRAM. |
| 11. WASTE MANAGEMENT. | 12. LICENSE FEES <i>(See 10 CFR 170 and Section 170.31)</i> FEE CATEGORY 3P, \$1400 annual AMOUNT ENCLOSED \$ 1,400.00 |

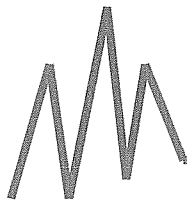
13. CERTIFICATION. *(Must be completed by applicant)* THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BINDING UPON THE APPLICANT.

THE APPLICANT AND ANY OFFICIAL EXECUTING THIS CERTIFICATION ON BEHALF OF THE APPLICANT, NAMED IN ITEM 2, CERTIFY THAT THIS APPLICATION IS PREPARED IN CONFORMITY WITH TITLE 10, CODE OF FEDERAL REGULATIONS, PARTS 30, 32, 33, 34, 35, 36, 39, AND 40, AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF.
 WARNING: 18 U.S.C. SECTION 1001 ACT OF JUNE 25, 1948 62 STAT. 749 MAKES IT A CRIMINAL OFFENSE TO MAKE A WILLFULLY FALSE STATEMENT OR REPRESENTATION TO ANY DEPARTMENT OR AGENCY OF THE UNITED STATES AS TO ANY MATTER WITHIN ITS JURISDICTION.

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|--|---------------|-----------------|
| CERTIFYING OFFICER - TYPED/PRINTED NAME AND TITLE Mark C. Eatinger, President | SIGNATURE | DATE 2-14-12 |
|--|---------------|-----------------|

| FOR NRC USE ONLY | | | | | |
|------------------|---------|--------------|-----------------|--------------|----------|
| TYPE OF FEE | FEE LOG | FEE CATEGORY | AMOUNT RECEIVED | CHECK NUMBER | COMMENTS |
| | | | \$ | | RECEIVED |
| APPROVED BY | | | | DATE | |

FEB 23 2012



RIO VERDE ENGINEERING

CONSULTING ENGINEERS AND LAND SURVEYORS
P.O. BOX 642
PINEDALE, WYOMING 82941
PHONE 307-367-2826
FAX 307-367-2546

To accompany NRC Form 313, Application for Material License, dated 2-14-2012.
Please see below for Items 5 through 11 NRC Form 313.

ITEMS 5 AND 6: MATERIALS TO BE POSSESSED AND PROPOSED USES

Sealed Source #1

Radioisotope: Cesium-137 (Ce-137)

Distributor Model No.: TROXLER, Model 3440 PLUS

Device Manufacturer: TROXLER Electronic Laboratories, Inc.
3008 Cornwallis Road
PO Box 12057
Research Triangle Park, NC 27709
(1-877-TROXLER) or 1-877-876-9537

Maximum Activity in Possession: 8 mCi

Purpose for which Licensed Material will be used: Use as listed on Sealed Source and Device Registration Certificate

Other uses not listed on SSD: Not Applicable

Sealed Source #2

Radioisotope: Americium-241 (Am-241:Be)

Distributor Model No.: TROXLER, Model 3440 PLUS

Device Manufacturer: TROXLER Electronic Laboratories, Inc.
3008 Cornwallis Road
PO Box 12057
Research Triangle Park, NC 27709
(1-877-TROXLER) or 1-877-876-9537

Maximum Activity in Possession: 40 mCi

Purpose for which Licensed Material will be used: Use as listed on Sealed Source and Device Registration Certificate

Other uses not listed on SSD: Not Applicable

ITEM 7: INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING EXPERIENCE

Name: Aaron P. Seehafer

RSO Training Course, February 2, 2012, Denver, CO area

Nuclear Gauge Safety Training, February 1, 2012, Denver, CO area

DOT Hazardous Material Training, February 1, 2012, Denver, CO area

The proposed RSO has successfully completed one of the training courses described in Criteria in the section entitled "Individual(s) Responsible for Radiation Safety Program and Their Training and Experience – Radiation Safety Officer" in NUREG-1556, Vol. 1, Rev. 1, dated November 2001.

ITEM 8: TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS

EMPLOYEE #1:

Aaron P. Seehafer

RSO Training Course, February 2, 2012, Denver, CO area

Nuclear Gauge Safety Training, February 1, 2012, Denver, CO area

DOT Hazardous Material Training, February 1, 2012, Denver, CO area

EMPLOYEE #2:

Dennis E. Fornstrom

RSO Training Course, February 2, 2012, Denver, CO area

Nuclear Gauge Safety Training, February 1, 2012, Denver, CO area

DOT Hazardous Material Training, February 1, 2012, Denver, CO area

EMPLOYEE #3:

Mark C. Eater

Nuclear Gauge Safety Training, February 1, 2012, Denver, CO area

DOT Hazardous Material Training, February 1, 2012, Denver, CO area

EMPLOYEE #4:

Ronald M. Howard

Nuclear Gauge Safety Training, February 1, 2012, Denver, CO area

DOT Hazardous Material Training, February 1, 2012, Denver, CO area

EMPLOYEE #5:

Drew J. McGuire

Nuclear Gauge Safety Training, February 1, 2012, Denver, CO area

DOT Hazardous Material Training, February 1, 2012, Denver, CO area

EMPLOYEE #6:

Lars E. Anderson

Nuclear Gauge Safety Training, February 1, 2012, Denver, CO area

DOT Hazardous Material Training, February 1, 2012, Denver, CO area

ITEM 9: FACILITIES AND EQUIPMENT

Need Not Be Submitted With Application

ITEM 10: RADIATION SAFETY PROGRAM

- A. AUDIT PROGRAM: Need Not Be Submitted With Application
- B. TERMINATION OF ACTIVITIES: Need Not Be Submitted With Application
- C. SURVEY INSTRUMENTS: We will either possess and use, or have access to and use, a radiation survey meter that meets the Criteria in the section entitled “Radiation Safety Program – Instruments” in NUREG-1556, Vol. 1, Rev. 1, dated November 2001.
- D. MATERIAL RECEIPT AND ACCOUNTABILITY: Either we will maintain, for inspection by NRC, documentation demonstrating that unmonitored individuals are not likely to receive a radiation dose in excess of 10 percent of the allowable limits in 10 CFR Part 20, or we will provide dosimetry processed and evaluated by an NVLAP-approved processor that is exchanged at a frequency recommended by the processor.
- E. PUBLIC DOSE: Need Not Be Submitted With Application
- F. OPERATING AND EMERGENCY PROCEDURES: We will implement and maintain the operating and emergency procedures in Appendix H of NUREG-1556, Vol. 1, Rev. 1, dated November 2001, and provide copies of these procedures to all gauge users and at each job site.
- G. LEAK TEST: Leak tests will be performed at intervals approved by NRC or an Agreement State and specified in the Sealed Source and Device Registration Sheet. Leak tests will be performed by an organization authorized by NRC or an Agreement State to provide leak testing services for other licensees or using a leak test kit supplied by an organization authorized by NRC or an Agreement State to provide leak test kits to other licensees and according to the kit supplier’s instructions.
- H. MAINTENANCE:
 - Routine Cleaning and Lubrication* – We will implement and maintain procedures for routine maintenance of our gauges according to each manufacturer’s recommendations and instructions.
 - Non-routine Cleaning and Lubrication* – We will send the gauge to the manufacturer or other person authorized by NRC or an Agreement State to perform non-routine maintenance or repair operations that require the removal of the source or source rod from the gauge.
- I. TRANSPORTATION: Need Not Be Submitted With Application

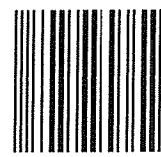
ITEM 11: WASTE MANAGEMENT – GAUGE DISPOSAL AND TRANSFER

Need Not Be Submitted With Application

RECEIVED

FEB 23 2012

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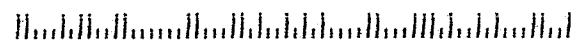
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RIO VERDE ENGINEERING
P.O. BOX 642
804 Hoback Street
PINEDALE, WY 82941

Nuclear Materials Licensing Branch
U.S. Nuclear Regulatory Commission, Region IV
1600 E. Lamar Boulevard
Arlington, TX 76011-4511

No. 576992

7601194511 0002





DATE
02/23/2012

| | |
|---|---|
| NAME AND ADDRESS OF APPLICANT AND/OR LICENSEE K&E Engineering dba Rio Verde Engineering ATTN: Mark C. Eatinger PO Box 642 804 Hoback Street Pinedale, Wyoming 82941 | LICENSE NUMBER 49-29438-01 |
| | MAIL CONTROL NUMBER 576992 |
| | LICENSING AND/OR TECHNICAL REVIEWER ch |

This is to acknowledge the receipt of your:

LETTER and/or APPLICATION DATED: 02/14/2012

The initial processing, which included an administrative review, has been performed.

AMENDMENT TERMINATION NEW LICENSE RENEWAL

- There were no administrative omissions identified during our initial review.
- This is to acknowledge receipt of your application for renewal of the material(s) license identified above. Your application is deemed timely filed, and accordingly, the license will not expire until final action has been taken by this office.
- Your application for a new NRC license did not include your taxpayer identification number. Please fill out NRC Form 531, located at the following link:

<http://www.nrc.gov/reading-rm/doc-collections/forms/nrc531.pdf>

Send the completed NRC Form 531, by facsimile, to the following number: (301) 415-5387

A copy of your action has been emailed to our License Fee and Accounts Receivable Branch, in our Headquarters office in Rockville, MD. You will be contacted separately if there is a fee issue involved.

Your application has been assigned the above listed **MAIL CONTROL NUMBER**. When calling to inquire about this action, please refer to this control number. Your application has been forwarded to a technical reviewer. Please note that the technical review, which is normally completed within 180 days for a renewal application (90 days for all other requests), may identify additional omissions or require additional information. If you have any questions concerning the processing of your application, our contact information is listed below:

Region IV
U. S. Nuclear Regulatory Commission
DNMS/NMSB - B
1600 E. Lamar Boulevard
Arlington, TX 76011-4511
(817) 200-1103 or (817) 200-1140

BETWEEN:

Accounts Receivable/Payable
and
Regional Licensing Branches

[FOR ARPB USE]
INFORMATION FROM LTS

Program Code: 03121
Status Code: Pending New
Fee Category: 3P
Exp. Date:
Fee Comments:
Decom Fin Assur Reqd:

License Fee Worksheet - License Fee Transmittal

A. REGION

1. APPLICATION ATTACHED

Applicant/Licensee: K&E Engineering dba Rio Verde Engineering
Received Date: 02/23/2012
Docket Number: 3038519
Mail Control Number: 576992
License Number: 49-29438-01
Action Type: New License, new licensee

2. FEE ATTACHED

Amount: _____

Check No.: _____

3. COMMENTS

Signed: _____

Carl L. Hie

Date: _____

2/23/12

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: _____