



A. MORTON THOMAS AND ASSOCIATES, INC.
CONSULTING ENGINEERS

ESTABLISHED 1955

September 4, 2012

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2012 SEP -5 AM

U.S. Nuclear Regulatory Commission
Region 1
475 Allendale Road
King of Prussia, PA 19406-1415

Br 3
03035368

Reference: Termination of U.S. NRC License No. 19-25514-01

To Whom It May Concern:

A. Morton Thomas and Associates, Inc. (AMT) was previously authorized to receive, acquire, possess and transport nuclear density gauges under the above referenced U.S. NRC License number. AMT possesses and operates this gauge in the Commonwealth of Virginia, which is presently recognized as an Agreement State. AMT has subsequently transferred control of the nuclear gauge to the Virginia Department of Health under license number 191-529-1 which became effective March 3, 2010.

It has become apparent to AMT that for the foreseen future the usage of this device will remain within Virginia. Therefore, we respectfully request that the referenced U.S. NRC license be terminated. Attached hereto is a completed NRC Form 314 and a copy of our Radioactive Materials License issued by the Commonwealth of Virginia.

We are in receipt of NRC Invoice LDF 12-3945 dated May 1, 2012 in the amount of \$4,800. It is our understanding if this invoice is paid in full prior to November 1st 2012 that the amount due would be pro-rated by 50%. We have submitted under separate cover a payment in the amount of \$2,457 (50% of the base license fee plus interest of \$57.00).

Should it be necessary for AMT to use this device at or on a Federal project / installation AMT will apply to the U.S. NRC for reciprocity of our license with the Commonwealth of Virginia. It is our understanding that such reciprocity would permit AMT to possess/operate a nuclear gauge within areas of U.S. NRC jurisdiction for a period of 180 days per calendar year. A request for reciprocity requires a minimum of three days notice.

We appreciate your assistance in processing this request. Should you have any questions or require any additional information please do not hesitate to call Rich Khalil at 301-881-2545 or by email at rkhalil@amtengineering.com.

Sincerely,

A. Morton Thomas and Associate, Inc.

Michael J. Wiercinski, P.E.
Principal

579101

NMSS/RGN1 MATERIALS-002

Cc: Andrew Cook, AMT RSO

PHONE 301-881-2545 FAX 301-881-0814 E-MAIL amt1@amtengineering.com
12750 TWINBROOK PARKWAY ROCKVILLE, MARYLAND 20852-1700

CERTIFICATE OF DISPOSITION OF MATERIALS

Estimated burden per response to comply with this mandatory collection request: 30 minutes. This submittal is used by NRC as part of the basis for its determination that the facility is released for unrestricted use. 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, (3150-0028), 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.

| | | |
|---|---|---------------------------|
| LICENSEE NAME AND ADDRESS A. Morton Thomas and Associates, Inc. 12750 Twinbrook Pkwy Rockville, MD 20852 | LICENSE NUMBER 19-25514-01 | DOCKET NUMBER 03035368 |
| | LICENSE EXPIRATION DATE May 31, 2030 | |

A. LICENSE STATUS (Check the appropriate box)

- This license has expired. This license has not yet expired; please terminate it.

B. DISPOSAL OF RADIOACTIVE MATERIAL

(Check the appropriate boxes and complete as necessary. If additional space is needed, provide attachments)

The licensee, or any individual executing this certificate on behalf of the licensee, certifies that:

- 1. No radioactive materials have ever been procured or possessed by the licensee under this license.
- 2. All activities authorized by this license have ceased, and all radioactive materials procured and/or possessed by the licensee under this license number cited above have been disposed of in the following manner:
 - a. Transfer of radioactive materials to the licensee listed below:
Commonwealth of Virginia Department of Health; License No. 191-529-1
 - b. Disposal of radioactive materials:
 - 1. Directly by the licensee:
 - 2. By licensed disposal site:
 - 3. By waste contractor:
 - c. All radioactive materials have been removed such that any remaining residual radioactivity is within the limits of 10 CFR Part 20, Subpart E, and is ALARA.

C. SURVEYS PERFORMED AND REPORTED

- 1. A radiation survey was conducted by the licensee. The survey confirms:
 - a. the absence of licensed radioactive materials
 - b. that any remaining residual radioactivity is within the limits of 10 CFR 20, Subpart E, and is ALARA.
- 2. A copy of the radiation survey results:
 - a. is attached; or b. is not attached (Provide explanation); or c. was forwarded to NRC on: _____ Date
- 3. A radiation survey is not required as only sealed sources were ever possessed under this license, and
 - a. The results of the latest leak test are attached; and/or
 - b. No leaking sources have ever been identified.

The person to be contacted regarding the information provided on this form:


| | | | |
|------------------------|----------------------------|---|--|
| NAME Richard Khalil | TITLE Principal and CFO | TELEPHONE (Include Area Code) 301-881-2545 | E-MAIL ADDRESS rkhalil@amtengineering.com |
|------------------------|----------------------------|---|--|

Mail all future correspondence regarding this license to:

A. Morton Thomas and Associates, Inc., 12750 Twinbrook Pkwy, Rockville, MD 20852

C. CERTIFYING OFFICIAL

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT

| | | |
|---|---|------------------------|
| PRINTED NAME AND TITLE Richard Khalil, Principal and CFO | SIGNATURE  | DATE 31 August 2012 |
|---|---|------------------------|

WARNING: FALSE STATEMENTS IN THIS CERTIFICATE MAY BE SUBJECT TO CIVIL AND/OR CRIMINAL PENALTIES. NRC REGULATIONS REQUIRE THAT SUBMISSIONS TO THE NRC BE COMPLETE AND ACCURATE IN ALL MATERIAL RESPECT. 18 U.S.C. SECTION 1001 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.



COMMONWEALTH of VIRGINIA

Karen Remley, MD, MBA, FAAP
State Health Commissioner

Department of Health
P O BOX 2448
RICHMOND, VA 23218

TTY 7-1-1 OR
1-800-828-1120

March 3, 2010

A. Morton Thomas & Associates, Inc.
Mr. Andrew Cook
135 Highland Drive
Lebanon, VA 24266-1974

Dear Mr. Cook:

Enclosed is Radioactive Material License No. 167-529-1 authorizing use and possession of radioactive material by A. Morton Thomas & Associates, Inc.

Please read the license carefully as you will be responsible for its contents. Your operations will be subject to routine inspections by the Virginia Department of Health for compliance with 481 'Virginia Radiation Protection Regulation' and the conditions of your license. These inspections may be unannounced or scheduled.

Please note that licensees are required to conduct their programs in accordance with statements, representations, and procedures contained in the license application and supporting documents. The license must be amended if the licensee plans to make changes in the facilities, equipment, procedures, authorized users, radiation safety officer or radioactive material to be used.

Enclosed is a 'Notice to Employees' to post. To obtain a copy of Chapter 481 'Virginia Radiation Protection Regulations', go to the department's website located at <http://www.vdh.virginia.gov/Epidemiology/RadiologicalHealth/>.

If you have any questions contact me at 804-864-7943 or leo.meire@vdh.virginia.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Leo T. Meire'.

Leo T. Meire, PE
Radiation Safety Specialist
109 Governor Street, Room 730
Richmond, VA 23219



COMMONWEALTH OF VIRGINIA
DEPARTMENT OF HEALTH

RADIOACTIVE MATERIALS LICENSE

Under the Code of Virginia Section 32.1-229.3 and 12VAC5-481, Virginia Radiation Protection Regulations, and in reliance on statements and representations made by the licensee, a license is issued authorizing the licensee to receive, acquire, possess and transfer radioactive material designated below; to use the material for the purpose(s) and at the place(s) designated below; and to deliver or transfer the material to persons authorized to receive it in accordance with 12VAC5-481, Virginia Radiation Protection Regulations. This license is subject to all applicable rules and orders of the Virginia Department of Health now or hereafter in effect, and to any conditions specified below.

| | | | |
|---|----------------------------------|---|---|
| Licensee Name and Address | | 3. License No: | 191-529-1 |
| 1. A. Morton Thomas & Associates, Inc. | | 4. Amendment No.: | |
| 2. 135 Highland Drive Lebanon, Virginia 24266-1974 | | 5. Expiration Date: | February 28, 2015 |
| 6. Radioactive material | 7. Chemical and/or physical form | 8. Maximum amount of radioactive materials that the licensee may possess at any one time under this license: | 9. Authorized Use: |
| A. Cesium-137 | A. Sealed source | A. No single source to exceed the maximum amount listed on the Sealed Source and Device Registry (SSD); total not to exceed 8 millicuries. | A and B: For use in a Troxler Electronic Laboratories Model 3400 series portable gauging devices for measuring physical properties of material. |
| B. Americium-241 | B. Sealed source | B. No single source to exceed the maximum amount listed on the Sealed Source and Device Registry (SSD); total not to exceed 40 millicuries. | |

CONDITIONS

10. Licensed material shall be used and stored at the licensee's facilities located at 9069 Porterfield Highway, Abingdon, Virginia, and may be used at temporary job sites of the licensee anywhere in Virginia where VDH maintains jurisdiction for regulating the use of licensed material.
11. The Radiation Safety Officer for this license is Andrew Cook.

RADIOACTIVE MATERIALS LICENSE

License Number: 191-529-1

Amendment No:

12. Licensed material shall only be used by, or under the supervision and in the physical presence of, individuals who have received the training described in the application dated February 10, 2010, have been instructed in licensee's operating and emergency procedures, and have been approved in writing by the Radiation Safety Officer.
13. The licensee is authorized to transport licensed material in accordance with the provisions of Chapter 481, Part XIII, 'Transportation of Radioactive Material.'
14. Sealed sources containing licensed material shall not be opened or removed from their source holders by the licensee.
15. The licensee shall conduct a physical inventory every 6 months, or at other intervals approved by the agency, to account for all sealed sources and/or devices received and possessed under the license. Records of inventories shall be maintained for 5 years from the date of each inventory, and shall include the radionuclides, quantities, manufacturer's name and model numbers, and the date of the inventory.
16. The licensee shall maintain a utilization log where the portable gauges are stored. The log shall contain the dates of use, temporary job sites, serial number of the gauge, and the names of the authorized users. Records of the utilization log shall be maintained for 5 years.
17. Any cleaning, maintenance, or repair of a gauge that requires detaching the source or source rod from the gauge shall be performed only by the manufacturer or by other persons specifically licensed by the NRC or an Agreement State to perform such services.
18.
 - A. If the licensee uses unshielded sealed sources extended more than 3 feet below the surface, the licensee shall use surface casing that extends from the lowest depth to 12 inches above the surface and other appropriate procedures to reduce the probability of the source or probe becoming lodged below the surface. If it is not feasible to extend the casing 12 inches above the surface, the licensee shall implement procedures to ensure that the cased hole is free of obstruction before making measurements.
 - B. If a sealed source or a probe containing sealed sources becomes lodged below the surface and it becomes apparent that efforts to recover the sealed source or probe may not be successful, the licensee shall notify the agency and submit the report required by 12VAC5-481-1110. The licensee shall not abandon the sealed source or probe without obtaining the agency's prior written consent.
19. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of licensed material to quantities below the minimum limit specified in 12VAC5-481-450 C for establishing decommissioning financial assurance.

RADIOACTIVE MATERIALS LICENSE

License Number: 191-529-1

Amendment No:

20. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. Chapter 481 'Virginia Radiation Protection Regulations' shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the rule.

A. Application dated February 10, 2010.

FOR THE VIRGINIA DEPARTMENT OF HEALTH

Michael Welling
SIGNATURE
DIRECTOR, RADIOACTIVE MATERIALS PROGRAM

2/10/10
DATE



Express

F 2462 09 05
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RT 329
FZ

From: (301) 881-2545
Rick Higdon
A. Morton Thomas & Associates
12750 Twinbrook Pkwy
Rockville, MD 20852

Origin ID: OBTA



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Ship Date: 04SEP12 ✓
ActWgt: 1.0 LB
CAD: 8182631/INET3300

Delivery Address Bar Code

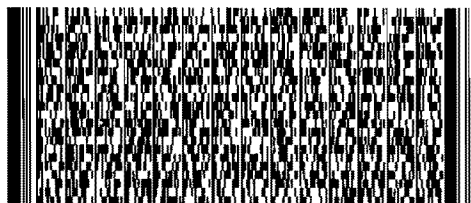


SHIP TO: (301) 415-6097 BILL SENDER
Blake Welling
U.S. Nuclear Regulatory Commission
2100 RENAISSANCE BLVD
STE 100
KING OF PRUSSIA, PA 19406

Ref # 00100
Invoice #
PO # Rick
Dept # Contracts

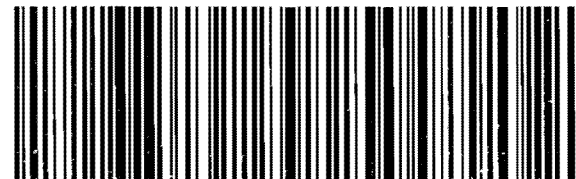
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This is to acknowledge the receipt of your letter application dated

9-4-12, and to inform you that the initial processing which includes an administrative review has been performed.

Termination : 19-25514-01
There were no administrative omissions. Your application was assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information.

Please provide to this office within 30 days of your receipt of this card

A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned **Mail Control Number** 579101.
When calling to inquire about this action, please refer to this control number.
You may call us on (610) 337-5398, or 337-5260.