



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, IL 60532-4352

February 8, 2013

Mark A. Halbert
Radiation Safety Officer
Baer Engineering, LLC
313 N. Jackson Street
Perryville, MO 63775

Dear Mr. Halbert:

We have reviewed your application dated January 9, 2013. We have determined that additional information is needed to complete our review. Please respond to the following.

1. NUREG-1556, Vol. 1 recommends that the proposed radiation safety officer (RSO) should complete a portable gauge manufacturer's course or equivalent course that meets Appendix D criteria. Your application stated that the RSO will successfully complete an official Nuclear Gauge Safety Training class or an official RSO training class; however, you did not provide the definition of "official" training. Please confirm that before obtaining licensed materials, the proposed RSO will have 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.
2. NUREG-1556, Vol. 1 recommends that the proposed authorized users (AUs) should complete a portable gauge manufacturer's course or equivalent course that meets Appendix D criteria. Your application stated that the AUs will successfully complete an official Nuclear Gauge Training course; however, you did not provide the definition of "official" training. Please confirm that before using licensed materials, authorized users will have successfully completed one of the training courses described in Criteria in the section entitled "Training for Individuals Working In or Frequenting Restricted Areas" in NUREG-1556, Vol. 1, Rev. 1, dated November 2001.
3. You provided the operating and emergency procedures; however, you did not commit to use the gauge in accordance with the manufacturer's instructions and recommendations. Please confirm that the operating and emergency will be developed, implemented, and maintained and will meet the criteria in the section entitled "Radiation Safety Program – Operating and Emergency Procedures" in NUREG-1556, Vol. 1, Rev. 1, dated November 2001.
4. You did not respond to the area of non-routine maintenance of the portable gauge in your application. Please confirm that the licensee 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.

5. If you would like to use your gauges at temporary jobsite other than the locations specified in the application, please confirm that licensed material may be used at temporary job sites of the licensee anywhere in the United States where the U. S. Nuclear Regulatory Commission maintains jurisdiction for regulating the use of licensed material.
6. As discussed with you by telephone on February 8, 2013 regarding the requested radioactive material, please confirm that you will possess only one Troxler Model No. 3400 Series.

NUREG-1556, Volume 1, dated November 2001 provides the program specific guidance about portable gauge licenses. NUREG-1556, Volume 1 is available on the NRC website at <http://www.nrc.gov/reading-rm/doc-collections/nureqs/staff/sr1556/v1/>.

We request that you submit your response to this letter by March 8, 2013. Your written response must be **dated** and **signed** by an authorized personnel and please refer to Mail Control No. 579731 to facilitate proper handling in our office. We will resume the review upon receipt of your response. If you have any questions or require clarification on any of the information stated above, please do not hesitate to contact me at 630-829-9623 or frank.tran@nrc.gov.

In accordance with Title 10 Code of Federal Regulations 2.390 of the NRC's "Rules of Practice," a copy of this letter will be 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 NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,



Frank P.D. Tran
Materials Licensing Branch

Note: To expedite the process, your response could be faxed 630-829-9782 or scanned and emailed to frank.tran@nrc.gov.

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Timothy Baer

LOCATION:

Baer Engineering, LLC

FAX NUMBER:

573-547-6175

VERIFY BY CALLING SENDER

FROM:
(SENDER)

Frank Tran

TELEPHONE NUMBER:

630-829-9623

FAX NUMBER:

630-829-9782

If you do not receive the complete fax transmittal, please contact the sender as soon as possible at the telephone number provided above.

MESSAGE

Request for additional info regarding application dtd Jan.