

Junod, Rebecca

From: Lawyer, Dennis
Sent: Thursday, October 23, 2014 9:25 AM
To: purcell@ussilica.com
Subject: U.S. Silica Company, Request for Additional Information Concerning Application for a License renewal, Control 584770

Dear Mr. Kent Purcell,

This is in reference to your application dated August 29, 2014, requesting for renewal to Nuclear Regulatory Commission License No. , Docket No. 03038437. In order to continue our review, we need the following additional information:

Based on your title, you do not appear to be a management representative of your company. Your application needs to have been signed by a management representative. Please submit a letter signed by a management representative indicating that management has reviewed the application and concurs in the statements and representations contained therein. Note also that a management representative should sign all future correspondence that requests a change in your license.

Please provide your facsimile number contact information which was not earlier provided.

You have submitted that you wish to be licensed for a Berthold Technology Model 7440D fixed gauging device. According to the Sealed Source and Device Registry, there is a Berthold Technology Model LB 7440D but not a model 7440D. Please confirm that you wish to be licensed for a model LB 7440D fixed gauging device.

According to NUREG-1556, Volume 4, "Consolidated Guidance about Material Licensees: Program-Specific Guidance about Fixed Gauge Licensees," dated October 1998, Section 8.10.2, the applicant is to provide the following, a statement that, "Surveys according to 10 CFR 20.1501 will be performed by a person specifically authorized by the NRC or an Agreement State to perform these surveys."
OR A statement that, "We will use survey instruments that meet the Criteria in the section entitled 'Radiation Safety Program - Instruments' in NUREG-1556, Vol. 4, 'Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Fixed Gauge Licenses,' dated October 1998"; and one of the following *three* choices: a) "Each survey meter will be calibrated by the manufacturer or other person authorized by the NRC or an Agreement State to perform survey meter calibrations." b) "We will implement the model survey meter calibration program published in Appendix I entitled 'Survey Instrument Calibration' in NUREG-1556, Vol. 4, 'Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Fixed Gauge Licenses,' dated October 1998" or c) "We will submit alternative calibration procedures for NRC review." You may wish to consult NUREG-1556, Volume 4, section 8.10.2 for additional alternate responses. Please make one of these statements.

According to NUREG-1556, Volume 4, Section 8.10.3, the applicant is to provide the following a statement: "Physical inventories will be conducted at least every 6 months or at other intervals approved by the NRC, to account for all sealed sources and devices received and possessed under the license.", or a description of the procedures for ensuring that no fixed gauge has been lost, stolen, or misplaced and how often they will be conducted. Please submit this statement or the alternate description.

According to NUREG-1556, Volume 4, Section 8.10.4, the applicant is to provide the following a statement "We will perform a prospective evaluation demonstrating that unmonitored individuals are not likely to receive, in one year, a radiation dose in excess of 10% of the allowable limits in 10 CFR Part 20 or we will provide dosimetry that meets the Criteria in the section entitled 'Radiation Safety Program - Occupational Dosimetry' in

NUREG-1556, Vol. 4, 'Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Fixed Gauge Licenses,' dated October 1998.", or a description of an alternative method for demonstrating compliance with the referenced regulations.

According to NUREG-1556, Volume 4, Section 8.10.7, the applicant is to provide the following a statement that: "Leak tests will be performed at intervals approved by the NRC or an Agreement State and specified in the Sealed Source and Device Registration Certificate. Leak tests will be performed by an organization authorized by NRC or an Agreement State to provide leak testing services to 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. Records of leak test results will be maintained." **OR** A statement that: "We will implement the model leak test program published in Appendix M to NUREG-1556, Vol. 4, 'Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Fixed Gauge Licenses,' dated October 1998." Please make one of these statements.

According to NUREG-1556, Volume 4, Section 8.10.8, the applicant is to provide the following a statement about routine maintenance that : "We will implement and maintain procedures for routine maintenance of our gauges according to each manufacturer's or distributor's written recommendations and instructions," or provide alternative procedures for review.

According to NUREG-1556, Volume 4, Section 8.10.8, the applicant is to provide the following a statement about non-routine maintenance that: "The gauge manufacturer, distributor or other person authorized by NRC or an Agreement State will perform non-routine operations such as installation, initial radiation survey, repair, and maintenance of components related to the radiological safety of the gauge, gauge relocation, replacement, and disposal of sealed sources, alignment, or removal of a gauge from service," or the information listed in Appendix N supporting a request to perform this work "in-house." Please provide this statement or the alternate information.

We will continue our review upon receipt of this information. Please reply to my attention at the Region 1 Office (Address below) and refer to Mail Control No. 584770. If you have technical questions regarding this letter, please call me at (610) 337-5366.

Please note that you may not reply to this letter by return e-mail. Your reply must be in writing by letter or facsimile (610-337-5269). If we do not receive a reply from you within 30 calendar days from the date of this e-mail, we will assume that you do not wish to pursue your application.

Region 1 Office Mailing Address: Licensing Assistance Team, US Nuclear Regulatory Commission Region I, 2100 Renaissance Boulevard, Suite 100, King of Prussia, PA 19406-2713.

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