



Ron Chapman, MD, MPH
Director

State of California—Health and Human Services Agency
California Department of Public Health



EDMUND G. BROWN JR.
Governor

October 20, 2011

Thomas Gray and Associates
Richard Gallego, Radiation Safety Officer
1205 West Barkley Avenue
Orange, California 92868

NOTICE OF RECEIPT OF RENEWAL APPLICATION FOR REVIEW

Docket Number: 101711-2105
License Number: 2105-30
Application Date: 09/18/11

The above renewal application has been received by the Radiologic Health Branch. Since your application is deemed timely and accordingly, the license will not expire until final action has been taken up by the Department. This application will be processed in the order received. The license expiration date (*item 4* on the face of the license) will not change until the renewal is reviewed and approved by the Department.

Please retain this notice to demonstrate proof of an active license.

If your renewal application contains any program changes, e.g. change of Radiation Safety Officer, change of storage/use location, change in possession limit, **please submit a separate amendment request**, and reference the license number. You may include these changes in the renewal package that will be reviewed at a later date.

Correspondence or other communication concerning the above referenced application **must be submitted in duplicate** and should make clear reference to your assigned docketed number pertaining to its specific request. Future requests, not related to this (the above request), will be assigned a new docket number.

Thank you,

Gonzalo L. Perez, Chief
Radioactive Materials Licensing Section

RADIOACTIVE MATERIAL LICENSE

Pursuant to the California Code of Regulations, Division 1, Title 17, Chapter 5, Subchapter 4, Group 2, Licensing of Radioactive Material, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, use, possess, transfer, or dispose of radioactive material listed below; and to use such radioactive material for the purpose(s) and at the places(s) designated below. This license is subject to all applicable rules, regulations, and orders of the California Department of Public Health now or hereafter in effect and to any standard or specific condition specified in this license.

1. Licensee	Thomas Gray & Associates, Inc.	3. License Number	2105-30	Amendment Number : 50
2. Address	1205 West Barkley Avenue Orange, CA 92868	4. Expiration date	November 18, 2011	(2)
Attention:	Richard E. Gallego Radiation Safety Officer	5. Inspection agency	Radiologic Health Branch South	

License Number 2105-30 is hereby administratively amended as follows:

6. Nuclide	7. Form	8. Possession Limit
A. Hydrogen-3	A. Any	A. Not to exceed 4000 Curies.
B. Any radioactive material except: (1) special nuclear material (2) source material (3) any other alpha emitters	B. Any	B. Not to exceed 150 Curies.
C. Alpha emitters except: (1) special nuclear material (2) source material	C. Any	C. Not to exceed 500 millicuries.
D. Special nuclear material	D. Any	D. Not to exceed 15 grams.
E. Source material	E. Any	E. Not to exceed 2,500 pounds.
F. Any nuclide with atomic numbers 3-104	F. Contaminated wipe samples	F. Not to exceed 10 microcuries total.
G. Any nuclide with atomic numbers 3-83.	G. Calibration sources	G. Not to exceed 1.0 millicurie total.
H. Radium-226	H. Sealed sources	H. 3 sources not to exceed 100 microcuries each.
I. Alpha emitters except: (1) special nuclear material (2) source material	I. Sealed sources	I. Not to exceed 150 Curies
J. Cesium-137	J. Sealed sources	J. 8 sources not to exceed 2 curies each

9. Authorized Use

A.-E. & I. To be used incidental to performing commercial services including decontamination and decommissioning services and site characterization services and to pickup and package radioactive materials in DOT approved containers at temporary job sites; to transport of radioactive waste within the State of California when each transport conforms to the California Code of Regulations and all applicable local, state, and federal laws and regulations; and to receipt and storage of packaged waste at the licensee's 1205 West Barkley, Orange, CA facility.

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- F. To be used incidental to testing for leakage or contamination as a customer service.
- G.-H. To be used for in-house calibrations of instruments (excluding survey meters) and as check sources for instruments.
- J. To be used incidental to installation, removal, maintenance and servicing of Ohmart, Robert Shaw Control K-ray, Texas Nuclear, Industrial, Nucleonics, Ronan Equipment gauging systems, Ludlum gauging systems, and maintenance and servicing of gauging systems authorized under a license issued by the USNRC or Agreement States.

LICENSE CONDITIONS

- 10. Radioactive material shall be used only at the following locations:
 - (a) 1205 West Barkley, Orange, CA.
 - (b) Temporary job sites of the licensee in areas not under exclusive federal jurisdiction throughout the State of California (see Condition 18).
- 11. This license is subject to an annual fee for sources of radioactive material authorized to be possessed at any one time as specified in Items 6, 7, 8 and 9 of this license. The annual fee for this license is required by and computed in accordance with Title 17, California Code of Regulations, Sections 30230-30232 and is also subject to an annual cost-of-living adjustment pursuant to Section 100425 of the California Health and Safety Code.
- 12. Radioactive material shall be used by, or under the supervision of, the following individuals:
 - (a) Thomas A. Gray
 - (b) Richard E. Gallego
 - (c) Kevin Lucey
 - (d) Joesph P. Skovron
 - (e) Harold J. Sims
 - (g) Michael J. Zittle
- 13. Except as specifically provided otherwise by this license, the licensee shall possess and use radioactive material described in Items 6, 7, 8 and 9 of this license in accordance with the statements, representations, and procedures contained in the documents listed below. The Department's regulations shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the regulations.
 - (a) The letter, with attached license renewal application and attachments, dated October 13, 2000, as modified by the letters, with attachments, dated December 20, 2000, and December 27, 2000, and the letters dated October 4, 1999 and December 17, 1999, all signed by Thomas A. Gray.
 - (b) The letter, with attachments dated April 4, 2005 signed by Thomas Gray requesting transfer of authorizations from the Level-Link license #3719-19 as approved in the termination process for Level-Link.
 - (c) The letter with attachment, dated September 7, 2007, TGA referencing to the letter dated April 22, 2004, regarding addition of Michael J. Zittle as an authorized user.
 - (d) Letter dated September 7, 2007, with attachment, requesting to remove references to attachments to the renewal application dated December 20, 2000, and December 27, 2000, which was denied. An updated TGA Standard Operating Procedures, Revision No. 10, dated May 2008 was approved for addition to the license.

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- (e) Letter dated October 27, 2008, signed by Jose-Luis Cueva, RSO, requesting removal of Jose-Luis Cueva and adding Richard E. Gallego, as the new Radiation Safety Officer, and Thomas A. Gray, as the Alternate Radiation Safety Officer, along with Forms RH 2050A and related training documents, and the report issued September 2008, Rev. No. 2, regarding Decommissioning Funding Plan.
14. (a) The Radiation Safety Officer in this program shall be Richard E. Gallego.
(b) The Alternate Radiation Safety Officer in this program shall be Thomas A. Gray.
15. The Radioactive Shipment Record, from each customer, shall be on file describing:
- (a) Total activity in millicuries, or in the case of source or special nuclear material, the total weight.
(b) The principal radioisotopes.
(c) The maximum radiation level at the surface of the container and at one meter from the source.
(d) The name and address of the licensee from whom the waste was received.
(e) The date of receipt of the package.
(f) Form of the radioactive material, specifically whether absorbed liquid, dry solid, animal carcasses or scintillation vials.
(g) Cataloging system (numbering or lettering) to be used for the accountability, and tracing of the radioactive material through the available documentation pertaining to the specifics of each container and generator.
16. The maximum period the licensee is authorized to store radioactive waste material is as follows:
- (a) For solid material in non-combustible containers, 24 months.
(b) For solid material in combustible containers, six months.
(c) For absorbed liquid material and animal carcasses, 90 days.
17. The licensee shall, with respect to all radioactive waste collected for disposal at licensed land burial sites, establish and maintain a training program, written operating and radiation safety procedures, and quality assurance inspection and testing procedures which assure that:
- (a) All waste is properly segregated and identified with respect to those classes of waste being accepted for burial at the intended burial sites.
(b) Waste is properly packaged to conform to DOT regulations and specific packaging instructions for the class of waste being packed which are supplied by the broker or intended burial site operator and which are particular to the intended burial site.
(c) All containers are properly closed, meet DOT specifications, and are acceptable at the burial site for the class of waste contained.
(d) All containers are free of surface contamination per DOT regulations.
(e) Radiation levels conform to DOT limits.
(f) All containers are properly labeled per DOT regulations.
(g) All records, shipping papers, and certificates are complete and accurate.
18. Before radioactive materials may be used at a temporary job site at any federal facility, the jurisdictional status of the job site must be determined. If the jurisdictional status is unknown, the federal agency should be contacted to determine if the job site is under exclusive federal jurisdiction. A response shall be obtained in writing or a record

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made of the name and title of the person at the federal agency who provided the determination and the date that it was provided. Authorization for use of radioactive materials at the job sites under exclusive federal jurisdiction shall be obtained either by:

- (a) Filing an NRC Form-241 in accordance with the Code of Federal Regulations, Title 10, Part 150.20 (b), "Recognition of Agreement State Licenses", or
- (b) By applying for a specific NRC license.

Before radioactive material can be used at a temporary job site in another State, authorization shall be obtained from the State if it is an Agreement State, or from the NRC for any non-Agreement State, either by filing for reciprocity or applying for a specific license.

19. The license shall not store more-than 5,000 cubic feet of radioactive waste at any one time.
20. All radioactive waste shall be loaded and transported in accordance with all applicable U.S. Department of Transportation Regulations, U.S. Nuclear Regulatory Commission Regulations, state regulations, and the requirements of this license. Nothing in this license shall in any way relieve the licensee from full compliance with all applicable local, state, and federal laws and regulations.
21. The licensee shall report to the California Department of Public Health, Radiologic Health Branch, within 24 hours of identifying uncontrolled radioactive materials. The report shall include a description of the isotopes, quantities, and chemical and physical forms of the radioactive material, the exact location, and preventive action taken. A written report shall be submitted within seven (7) days of initial report to the California Department of Public Health, Radiologic Health Branch, MS 7610, PO Box 997414, Sacramento, CA 95899-7414.
22. Records of leak test results shall be kept in units of microcuries and maintained for inspection. Records may be disposed of following Department inspection. Any leak test revealing the presence of 0.005 microcuries or more of removable radioactive material shall be reported to the California Department of Public Health, Radiologic Health Branch, MS 7610, PO Box 997414, Sacramento, CA 95899-7414, within five days of the test. This report shall include a description of the defective source or device, the results of the test, and the corrective action taken.
23. The licensee is authorized to perform tests for leakage and/or contamination of sealed sources. The following tests may be performed for sources possessed under this license and as a customer service:
 - (a) Collection of wipe test samples from sealed sources and devices containing sealed sources.
 - (b) Furnishing leak test kits Model TGA-76 for sealed sources and devices containing sealed sources to customers authorized to use such leak test kits.
 - (c) Analysis of materials collected by the licensee as stated in (a) above and material returned by customers from leak test kits listed in (b) above for the amount of radioactivity. Reports to customers of analysis shall be in microcuries.
24. The licensee shall conduct a physical inventory every six months to account for all sealed sources and/or devices received and possessed under the license. Records of the inventories shall be maintained for inspection, and may be disposed of following Department inspection.
25. Notwithstanding the limitations specified by Condition 16 of this license, the licensee is authorized to store all forms of packaged waste for up to five (5) years from the date of receipt while an authorized waste site is not available to receive the waste. If an authorized waste site becomes available during the five year limit specified by this condition, the licensee must meet the requirements of Condition 16 within 90 days of availability of the waste site.

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26. The licensee shall comply with the requirements described in the RHB document entitled "Increased Controls (IC) for Licensees that Possess Sources Containing Radioactive Material Quantities of Concern". The IC requirements shall be implemented before taking possession of any IC quantities. Upon completion of implementation, the licensee shall notify the Radiologic Health Branch (RHB) of the California Department of Public Health (CDPH) by telephone and in writing. Written notification is to be sent to:

CDPH
Radiologic Health Branch
Radioactive Materials Licensing
ATTN: Increased Controls Program
MS 7610
PO Box 997414
Sacramento, CA 95899-7414

Telephone notification shall be made to the local RHB Inspection Office. Local RHB Inspection Office telephone numbers are:

Northern California:	(510) 620-3416 or (510) 620-3419
Southern California:	(714) 257-2025 or (714) 257-2031
Los Angeles County:	(213) 351-7897 or (213) 351-7387
San Diego County:	(858) 694-3621 or (858) 694-3616

27. At least 30 days prior to vacating any address of use listed in Condition 10 of this license, the licensee shall provide written notification thereof to the California Department of Public Health, in accordance with Title 17, California Code of Regulations, Section 30256 (b).
28. A copy of this license and a copy of all records and documents pertaining to this license shall be maintained available for inspection at 1205 West Barkley, Orange, CA.
29. The licensee will provide the Low Level Radioactive Waste (LLRW) reports specified in the California Health and Safety Code section 115000.1(h) to the California Department of Public Health (CDPH) on an annual basis for both shipped and stored LLRW. Alternatively, LLRW shipment information may be provided on a per shipment basis. LLRW shipment information and annual reports shall be mailed to:

Attn: LLRW Tracking Program
California Department of Public Health
Radiologic Health Branch, MS 7610
P.O. Box 997414
Sacramento, CA 95899-7414

30. The licensee shall comply with the requirements described in the Department of Public Health, Radiologic Health Branch letter, with enclosure entitled, "Specific Requirements Pertaining to Fingerprinting and Criminal History Records Checks," dated June 5, 2008, and California order dated June 5, 2008, signed by Gary Butner, Acting Chief, Radiologic Health Branch. The licensee shall complete implementation of said requirements by December 2, 2008. The licensee shall notify the California Department of Public Health, Radiologic Health Branch in writing within twenty-five (25) days after full compliance as described in the letter and enclosure has been achieved.

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31. **The licensee shall comply with the inventory and transaction reporting requirements in 10 CFR 20.2207 (1-1-08 Edition) for nationally tracked sources. Note that transaction reports are required for any manufacture, transfer, receipt, disassembly, or disposal of a nationally tracked source, otherwise allowed by this license, by the next business day after the transaction. A nationally tracked source, as defined in 10 CFR 20.1003 (1-1-08 Edition) refers to a sealed source containing a quantity equal to or greater than Category 1 or Category 2 levels of any radioactive materials listed in Appendix E to 10 CFR Part 20 – “Nationally Tracked Source Thresholds.” (1-1-08 Edition).**

Issued for the California Department of Public Health

Date: September 21, 2011

By: 

Ronald Rogus
Radiologic Health Branch, MS 7610
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Sacramento, CA 95899-7414