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GRISHAM
Governor

**NEW MEXICO
ENVIRONMENT DEPARTMENT**

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JAMES KENNEY
Cabinet Secretary



RADIOACTIVE MATERIAL LICENSE

Pursuant to Sections 74-3-1 through 74-3-16 NMSA 1978, and 20.3.3 NMAC, and in reliance on statements and representations heretofore made by the licensee designated below, a license is hereby issued authorizing such licensee to transfer, receive, possess and use the radioactive material(s) designated in this license; and to use said radioactive material(s) for the purpose(s) and at the place(s) designated herein. This license is subject to all applicable rules, regulations, and orders now or hereafter in effect, of the New Mexico Environment Department and to any conditions specified herein.

<p>1. License Name Environmental Restoration Group, Inc.</p>	<p>2. License Number RS570-03</p>
<p>3a. Address 8809 Washington St NE Suite 150 Albuquerque NM 87113</p>	<p>3b. Actual Location of Operation 8809 Washington St NE Suite 150, Albuquerque, NM 87113, and temporary job sites throughout NM not under exclusive Federal jurisdiction.</p>
<p>4. Telephone (505) 298-4224</p>	<p>5. Expiration Date August 31, 2026</p>

Date: November 3, 2022

For the New Mexico Environment Department



Santiago M. Rodriguez, Bureau Chief (vmd)
Radiation Protection Program

Attachments:

- 1) Radioactive Material Specifications
- 2) Authorized Use(s) and License Conditions

RS570-03

ATTACHMENT 1 - RADIOACTIVE MATERIAL SPECIFICATIONS



LICENSE NUMBER RS570-03

6. RADIOACTIVE MATERIALS (element and mass number)	7. FORM (chemical or physical)	8. MAXIMUM QUANTITY (Licensee may possess at any one time)
A. Any byproduct material with atomic number 1 through 83. Except 11(e)(2).	A. Any.	A. (USE AT LICENSEE SITE) Not to exceed 10 microcuries each. 100 microcuries total.
B. Any byproduct material with atomic number 84 through 103 (excluding source and special nuclear material) Except 11(e)(2).	B. Any.	B. (USE AT LICENSEE SITE) Not to exceed 1 microcuries each. 10 microcuries total.
C. Any source material. (Except Uranium Mines/ Uranium millings, and conventional mines).	C. Any.	C. (USE AT LICENSEE SITE) Not to exceed 1 millicurie. 9.9 millicuries total.
D. Thorium 230.	D. Electroplated Check Sources.	D. Not to exceed 0.045 microcuries per plate. 1 microcurie total.
E. Cesium 137.	E. Sealed source.	E. One source not to exceed 5.84 +/- 2.5% microcuries, total.
F. Strontium/Yttrium 90.	F. Electroplated.	F. One source not to exceed 0.0159 +/- 4% microcuries, total.
G. Technetium 99.	G. Electroplated.	G. One source not to exceed 0.00797 +/- 3% microcuries, total.
H. Americium 241.	H. Electroplated.	H. One source not to exceed 1 +/- 30% microcuries, total 1.3 microcuries.

END OF THIS SECTION



ATTACHMENT 2 - AUTHORIZED USE(S) AND LICENSE CONDITIONS



LICENSE NUMBER RS570-03

9. Authorized Use:

A. through C. Possession as contaminants incidental to cleaning, decontamination, remediation, decommissioning, storage, and testing of contaminated equipment; or cleaning, decontamination, remediation, and decommissioning of sites including structures, surface, and soil; or, packaging of wastes incidental to these activities.

1. Line item 6A, 6B, 6C. to be used at licensee's site;
2. This license is not to be used at any Uranium mines/ Uranium milling, Conventional mines, and handle byproduct 11[e][2]; and
3. This license is for specific characterization and not the possession of licensee materials.

D. through H. For use as calibration and reference sources.

10. The licensee shall comply with the provisions of 20.3.3, 20.3.4, 20.3.10, and 20.3.16 NMAC.

11. The Secretary of the Department or the Secretary's authorized representatives shall be allowed to enter the premises and inspect the radiation related activities at all reasonable times with a minimum 24 hour notice. Failure of the licensee to admit the Secretary or the Secretary's authorized representatives shall constitute grounds for issuance of an immediate cease and desist order.

12. Thirty (30) days before vacating or relinquishing possession or control of the premises specified in Item 3.b of this license, the licensee shall notify the Department in writing of the intent to vacate and the address of relocation.

13. The Radiation Safety Officer for this license is Bryan Erdmann.

14. Licensed material shall be used by, or under the supervision of, individuals designated in writing by the Radiation Safety Officer. Individuals will complete training, demonstrate proficiency, and meet minimum experience requirements as required in Environmental Restoration Group, Inc. SOP's prior to being authorized to supervise decommissioning and decontamination (D & D) service activities. The licensee shall maintain records for inspection by the Department of individuals designated as authorized users and their training for 5 years following the last use of licensed material by the individual.

15. The licensee shall notify the Department, in writing, at least 14 days before initiating activities under this license at a temporary job site, excluding routine packaging or repackaging for purposes of transporting and not requiring a job or site specific work package, and characterization or final status surveys where radioactive materials and/or radiation are not likely to be detected in excess of background or applicable clean-up limits, and/or if characterization activities are not expected to exceed 3 working days in duration, in which case 48 hour notice to the Department shall be acceptable. Notification to the Department shall include:

- A. The estimated type, quantity, and physical/chemical forms of licensed material to be used;
- B. The specific site location;



ATTACHMENT 2 - AUTHORIZED USE(S) AND LICENSE CONDITIONS



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- C. A description of planned activities, including waste management and disposition;
- D. The estimated start date and completion date for the job;
- E. The name and title of a licensee's point of contact for the job, including information on how to contact the individual;
- F. Written agreements as described in License Condition 16; and
- G. Waste Disposal Program; NUREG 1556, Vol. 18, Rev 1, appendix M, or most current is applicable, and RML.116 Rev. 1, Radioactive Waste Storage, dated July 23, 2021.

16. This license does not authorize the use of licensed material at temporary job sites for uses already specifically authorized by a customer's license. If a customer also holds a license issued by the NRC or an Agreement State, the licensee shall establish a written agreement between the licensee and the customer specifying which licensee activities shall be performed under the customer's license and supervision, and which licensee activities shall be performed under the licensee's supervision pursuant to this license. The agreement shall include a commitment by the licensee and the customer to ensure safety, and any commitments by the licensee to help the customer clean up the temporary job site if there is an accident. A copy of this agreement shall be included in the notification required by License Condition 17.

17. The licensee shall maintain records of information important to decommissioning each temporary job site at the applicable job site. The records shall be made available to the Department for inspection, and to the customer upon request during decommissioning activities, and shall be transferred to the customer for retention at the completion of activities at a temporary job site.

18. The licensee shall prepare a Decommissioning Plan for the licensees in accordance with the provisions in 20.3.3.318.H NMAC and the NRC guidance NUREG-1757.

19. Within 30 days of completing decontamination and decommissioning activities at each job site location, the licensee shall notify the Department in writing of the temporary job site status and the disposition of any licensed material used.

20. Each sealed source containing licensed material shall be tested for leakage and/or contamination in accordance with 20.3.4.415 NMAC at the frequencies specified in their respective Sealed Source Registration Certificates.

A. The licensee is authorized to collect leak test samples.

B. Reports of test results for leakage and contamination shall be made pursuant to 20.3.4.458 NMAC.

21. In addition to the notification requirements in 20.3.3 and 20.3.4 NMAC, each licensee shall report immediately any compromise to the integrity of any sealed sources or devices containing radioactive materials.



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22. If approved by a Radiation Safety Officer specifically identified in this license, the licensee may take reasonable action in an emergency that departs from conditions in this license when the action is immediately needed to protect public health and safety and no action consistent with all license conditions that can provide adequate or equivalent protection is immediately apparent. The licensee shall notify the Department before, if practicable, and in any case immediately after taking such emergency action.

23. The licensee is authorized to transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."

24. Except as specifically provided otherwise in this license, the licensee shall conduct its radiation safety program in accordance with statements, representations, and procedures contained in the documents, including any enclosures, listed below. The New Mexico Radiation Protection rules shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the rules.

00 New application dated June 3, 2021, July 8, 2021, July 14, 2021, August 2, 2021, and August 8, 2021.

01 Administrative amendment per email dated August 25, 2021. Amended on August 27, 2021.

02 Amendment request with attachments dated September 7, 2022.

03 Administrative amendment line item 9 on attachment 2, on November 3, 2022.

END OF THIS SECTION

