



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

March 22, 2005

Docket No. 03033256
Control No. 135739

License No. 47-25265-01

Arthur E. Linkins, Ph.D.
Vice President for Academic Affairs
Salem International University
223 West Main Street
P.O. Box 500
Salem, West Virginia 26426-0500

SUBJECT: SALEM INTERNATIONAL UNIVERSITY, ISSUANCE OF LICENSE RENEWAL,
CONTROL NO. 135739

Dear Dr. Linkins:

This refers to your request for renewal of your NRC license. Enclosed with this letter is the renewed license. Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region I Office, Licensing Assistance Team, (610) 337-5239, so that we can provide appropriate corrections and answers.

In accordance with the request submitted on behalf of the University by your Radiation Safety Officer, Loren Bertocci, Ph.D., on December 21, 2004, we have renewed your license for storage only. Prior to the resumption of activities involving licensed radioactive materials, you must apply for and receive an amendment of the license. Furthermore, we understand that your staff will receive additional radiation safety training prior to requesting this amendment. When you request amendment of your license, you will be required to provide the information described in NUREG-1556, Volume 7 (enclosed).

The NRC expects licensees to conduct their programs with meticulous attention to detail and high standards of compliance. Because of the serious consequences to employees and the public that can result from failure to comply with NRC requirements, you must conduct your program according to NRC regulations, the conditions of your NRC license, and the representations made in your application. In particular, note that you must:

1. Operate in accordance with NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers; Inspections," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Notify the NRC in writing of any change in mailing address.
3. In accordance with 10 CFR 30.36(d), notify the NRC, promptly, in writing, and request termination of the license

- a) when you decide to terminate all activities involving materials authorized under the license; or
 - b) if you decide not to acquire or possess and use authorized material.
4. Request and obtain a license Amendment before you:
- a) change Radiation Safety Officers;
 - b) order byproduct material in excess of the amount, or radionuclide, or form different than authorized on the license; or
 - c) add or change the areas of use, or addresses of use identified in the license application or on the license;
 - d) change the name or ownership of your organization; or
 - e) restart your research and development activities using NRC licensed materials.
5. Submit a complete renewal application or termination request at least 30 days before the expiration date of your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of byproduct material after your license expires is a violation of NRC regulations.

In addition, please note that NRC Form 313 requires the applicant, by signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of the applicant's knowledge. The signatory for the application should be the licensee or a certifying official of the licensee rather than a consultant.

You will be periodically inspected by the NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you. This could include issuance of a notice of violation, or imposition of a civil penalty, or an order suspending, modifying or revoking your license as specified in NUREG 1600, "General Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy).

An environmental assessment for this action is not required, since this action is categorically excluded under 10 CFR 51.22(c)(14).

A. Linkins, Ph.D.
Salem International University

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Current NRC regulations and guidance are available at the NRC Web sites listed below or by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 9:00 p.m. EST, Monday through Friday (except Federal holidays).

Thank you for your cooperation.

Sincerely,

Original signed by James P. Dwyer

David B. Everhart
Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety

Enclosures:
Amendment No. 7
NUREG-1556, Volume 7

NRC Web site addresses
NRC regulations

<http://www.nrc.gov/reading-rm/doc-collections/cfr/>

Licensing guidance

<http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/>

General Policy and Procedure for NRC Enforcement Actions

<Http://www.nrc.gov/what-we-do/regulatory/enforcement/enforc-pol.pdf>

206 of the Energy Reorganization Act of 1974

<http://www.nrc.gov/who-we-are/governing-laws.html>

cc:

Loren Bertocci, Ph.D., Radiation Safety Officer

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| DATE | 3/22/2005 | | 3/22/2005 | | | | | |

OFFICIAL RECORD COPY

MATERIALS LICENSE

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 36, 39, 40, and 70, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

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| <p>Licensee</p> <p>1. Salem International University Department of Natural Sciences and Mathematics</p> <p>2. 223 West Main Street, P.O. Box 500 Salem, West Virginia 26426-0500</p> | <p>In accordance with the letter dated September 27, 2004,</p> <p>3. License number 47-25265-01 is amended in its entirety to read as follows:</p> <p>4. Expiration date: March 31, 2007</p> <p>5. Docket No. 03033256 Reference No.</p> | |
| <p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Hydrogen 3</p> <p>B. Carbon 14</p> <p>C. Phosphorus 32</p> <p>D. Phosphorus 33</p> <p>E. Sulfur 35</p> <p>F. Chromium 51</p> <p>G. Barium 133</p> | <p>7. Chemical and/or physical form</p> <p>A. Any</p> <p>B. Any</p> <p>C. Any</p> <p>D. Any</p> <p>E. Any</p> <p>F. Any</p> <p>G. Sealed Sources</p> | <p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. 40 millicuries</p> <p>B. 20 millicuries</p> <p>C. 75 millicuries</p> <p>D. 35 millicuries</p> <p>E. 35 millicuries</p> <p>F. 5 millicuries</p> <p>G. No single source to exceed 10 microcuries</p> |
| <p>9. Authorized use:</p> <p>A. through G. For storage only until the license is amended to authorize research and development as defined in 10 CFR 30.4</p> | | |

CONDITIONS

10. Licensed material may be stored only at the licensee's facilities located at Salem International University, Department of Natural Sciences and Mathematics, Carlson Hall of Science, Pennsylvania Avenue, Salem, West Virginia.
11. The Radiation Safety Officer for this license is Loren Bertocci, Ph.D.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**License Number
47-25265-01Docket or Reference Number
03033256

Amendment No. 7

12. Licensed material shall be possessed and stored under the supervision of, Loren Bertocci, Ph.D.
13. The licensee shall not use licensed material in field applications where it is released except as provided otherwise by specific condition of this license.
14. The licensee shall not use licensed material in or on human beings.
15. Sealed sources or detector cells containing licensed material shall not be opened or sources removed from source holders by the licensee.
16. The licensee shall conduct a physical inventory every six months, or at other intervals approved by the U.S. Nuclear Regulatory Commission, to account for all 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.
17. The licensee is authorized to transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
18. 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. The U.S. Nuclear Regulatory Commission's regulations shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the regulations.
- A. Letter dated May 12, 2003 (ML993400161)
 - B. Letter dated May 20, 2003 (ML031470257)
 - C. Letter dated December 21, 2004

For the U.S. Nuclear Regulatory Commission

Date March 22, 2005

By

Original signed by James P. Dwyer

James P. Dwyer, Chief
Commercial and R&D Branch
Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406