



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

August 4, 2006

Docket No. 07003071
Control No. 137512

License No. SNM-1990

Scott M. Hurst, Ph.D.
Associate Provost
West Virginia University
Institute of Technology
Box 21, Old Main
405 Fayette Place
Montgomery, WV 25136-2436

SUBJECT: WEST VIRGINIA UNIVERSITY INSTITUTE OF TECHNOLOGY, LICENSE
TERMINATION, CONTROL NO. 137512

Dear Dr. Hurst:

Please find enclosed Amendment No. 5 terminating License No. SNM-1990 as requested by your letter dated August 9, 2005. This termination is being issued in accordance with the requirements of the applicable NRC License Termination Rule (10 CFR 40.42 and 10 CFR 70.38). All facilities previously used for licensed activities may be released for unrestricted use.

The Notice of Availability of Environmental Assessment and Finding of No Significant Impact for this action was published on August 3, 2006, in the Federal Register, Volume 71, Number 149. A copy of the Federal Register Notice is enclosed for your information.

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, Academic, and Industrial Uses of Nuclear Material**; then **Toolkit Index Page**. Or you may obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 8:00 p.m. EST, Monday through Friday (except Federal holidays).

Your cooperation with us is appreciated.

Sincerely,

Original signed by Elizabeth Ullrich

Betsy Ullrich
Senior Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety

Enclosures:

1. Amendment No. 5
2. Federal Register Notice

S. Hurst
West Virginia University

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cc w/enclosures:
Nassar Razmianfar, Director and Radiation Safety Officer

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SUNSI Review Complete: EUllrich

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NAME	EUllrich/EU							
DATE	8/4/2006							

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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.

Licensee	
1. West Virginia Institute of Technology Department of Physics	3. License number SNM-1990
2. 405 Fayette Place	4. Expiration date Not Applicable
Montgomery, West Virginia 25136-2437	5. Docket No. 070-03071 Reference No. SNM-608

In accordance with the letter dated August 9, 2005, this license is hereby terminated.

For the U.S. Nuclear Regulatory Commission

Date August 4, 2006

By **Original signed by Elizabeth Ullrich**
Elizabeth Ullrich
Commercial and R&D Branch
Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406