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

August 28, 2006

Docket No. 03037104 License No. 29-31112-01
Control No. 139273

Sunil M. Patel, M.D.
Owner
Prime Heart
40 Union Ave., Suite 101
Irvington, NJ 07111

SUBJECT: PRIME HEART, LICENSE AMENDMENT, CONTROL NO. 139273

Dear Dr. Patel:

This refers to your license amendment request. Enclosed with this letter is the amended license.

Please review the enclosed document carefully and be sure that you understand and fully implement all the conditions incorporated into the amended license. 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.

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

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).

Thank you for your cooperation.

Sincerely,

***Original signed by Elizabeth Ullrich***

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

Enclosure:
Amendment No. 1

cc:
Jessie Z. Trivino, M.S., Radiation Safety Officer

DOCUMENT NAME: E:\Filenet\ML062480203.wpd

**SUNSI Review Complete:** EUllrich
After declaring this document "An Official Agency Record" it **will** be released to the Public.

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| NAME | LRoldan ***/LWR3/*** | | EUllrich ***/BU/*** | | | | | |
| DATE | 8/28/06 | | 8/28/06 | | | | | |

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NRC FORM 374

U.S. NUCLEAR REGULATORY COMMISSION



# 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. Prime Heart | In accordance with the letter dated August 3, 2006, |
| | 3. License No. 29-31112-01 is amended in its entirety to read as follows: |
| 2. 40 Union Avenue<br>Suite 101<br>Irvington, New Jersey 07111 | 4. Expiration Date: January 31, 2016 |
| | 5. Docket No. 030-37104 |

| 6. Byproduct, source, and/or special nuclear material | 7. Chemical and/or physical form | 8. Maximum amount that licensee may possess at any one time under this license |
|---|---|---|
| A. Any byproduct material permitted by 10 CFR 35.200 | A. Any | A. As needed |

9. Authorized use:

   A. Any imaging and localization study permitted by 10 CFR 35.200.

CONDITIONS

10. Licensed material may be used or stored only at the licensee's facilities located at 40 Union Avenue, Suite 101, Irvington, New Jersey.

11. The Radiation Safety Officer (RSO) for this license is Jessie Z. Trivino, M.S.

12. Licensed material is only authorized for use by, or under the supervision of:

    A. Individuals permitted to work as an authorized user in accordance with 10 CFR 35.13 and 35.14.

    B. Authorized user and use: Sunil M. Patel, M.D. 35.200

13. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of licensed material to quantities below the minimum limit specified in 10 CFR 30.35(d) for establishing decommissioning financial assurance.

**MATERIALS LICENSE SUPPLEMENTARY SHEET**

License No.
29-31112-01

Docket No.
030-37104

Amendment No. 1

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

15. 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. This license condition applies only to those procedures that are required to be submitted in accordance with the regulations. Additionally, this license condition does not limit the licensee's ability to make changes to the radiation protection program as provided for in 10 CFR 35.26. 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. Application dated December 6, 2005 [ML053500242]
    B. Letter dated August 3, 2006 [ML062280536]

For the U. S. Nuclear Regulatory Commission

Date August 28, 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