



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

August 10, 2006

Docket No. 03029462
Control No. 138900

License No. 45-23645-01NA

Chief of Naval Operations
Environmental Readiness Division (N45)
ATTN: CAPT Lino Fragoso, PH.D.
Executive Secretary, Radiation Safety Committee
Radiological Controls and Health Branch
2000 Navy Pentagon (NC-1 Suite 2000)
Washington, DC 20350-2000

SUBJECT: DEPARTMENT OF THE NAVY, LICENSE AMENDMENT, CONTROL NO.
138900

Dear CAPT Fragoso:

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 Orysia Masnyk Bailey

Orysia Masnyk Bailey
Health Physicist
Materials Security and Industrial Branch
Division of Nuclear Materials Safety

Enclosure:
Amendment No. 16

L. Fragoso
Office of the Chief of Naval Operations

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cc:
LCDR Marvin Earles, Recording Secretary, Radiation Safety Committee

L. Fragoso
Office of the Chief of Naval Operations

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DOCUMENT NAME: E:\Filenet\ML062550176.wpd

SUNSI Review Complete: OMBailey

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NAME	OMBailey / <i>OMM</i> /							
DATE	8/10/06							

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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.

<p>Licensee</p> <p>1. Office of the Chief of Naval Operations Radiological Controls Branch (N455)</p> <p>2. 2000 Navy Pentagon (NC-1 Suite 2000) Washington, DC 20350-2000</p>	<p>In accordance with the letter dated May 12, 2006,</p> <p>3. License No. 45-23645-01NA</p> <p>is amended in its entirety to read as follows:</p> <p>4. Expiration date: Indefinite</p> <p>5. Docket No. 030-29462</p>	
<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Any byproduct material</p> <p>B. Any source material</p> <p>C. Special nuclear material</p>	<p>7. Chemical and/or physical form</p> <p>A. Any</p> <p>B. Any</p> <p>C. Any</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. As needed</p> <p>B. As needed</p> <p>C. As needed; however, quantities for any site or permit authorized by the Naval Radiation Safety Committee shall not exceed the critical mass quantities as determined by the procedures specified in 10 CFR, Part 150.11(a)</p>

9. Authorized use:

- A., B., and C. For uses authorized by the Naval Radiation Safety Committee as described in its applications dated August 14, 1986 and May 11, 1988, including, but not limited to the following:
- (1) Medical use defined in 10 CFR Part 35.
 - (2) Research and development as defined in 10 CFR Part 30.
 - (3) Radiography as defined in 10 CFR Part 34.
 - (4) Portable and fixed gauge use.
 - (5) For irradiation of materials in self-shielded irradiators.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**License No.
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10. Licensed material may be used at Department of the Navy facilities by: (1) Department of the Navy personnel as authorized by permits issued by the Naval Radiation Safety Committee; and (2) users who are not Department of the Navy personnel when such use is authorized by the Naval Radiation Safety Committee and is conducted in work spaces under the control of the Department of the Navy or Department of Defense.
11. Licensed material shall be used by, or under the supervision of, individuals designated by the Naval Radiation Safety Committee.
12. The Naval Radiation Safety Committee shall assure that all uses of byproduct material on human research subjects are authorized and performed in accordance with the requirements in 10 CFR 35.6.
13. Department of the Navy and Marine Corps requirements, policies, and directives governing the use of licensed radioactive materials must be consistent with the U. S. Nuclear Regulatory Commission's regulations.
14. The Naval Radiation Safety Committee shall submit requests for approval to the U. S. Nuclear Regulatory Commission for exemptions from the Commission's regulations.
15.
 - A. The licensee shall require permittees to conduct a physical inventory every six months to account for all sources and/or devices received and possessed under their respective permits.
 - B. Notwithstanding Paragraph A of this Condition, the licensee may authorize permittees to conduct a physical inventory every twelve months of certain sealed sources and/or devices specified in the letter dated January 14, 1992 and of depleted uranium (DU) ammunition as specified in the letter dated May 27, 1998.
 - C. The licensee shall require that permittees maintain records of physical inventories for five years from the date of each inventory. Records shall include the quantities and kinds of licensed material, manufacturer's name and model numbers, location of the sources and/or devices, and the date of the inventory.

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16. 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. Application dated August 14, 1986 (ML051920135)
- B. Memorandum of Understanding dated March 23, 1987 (ML051960476)
- C. Letter dated February 9, 1987 (ML0518804531)
- D. Application dated May 11, 1988 (ML052000223)
- E. Letter dated September 14, 1989 ((ML052000226)
- F. Letter dated January 14, 1992 (ML051880149)
- G. Letter dated May 27, 1998 (ML051880457)
- H. Letter dated June 8, 1998 (ML0518803881)
- I. Letter dated February 1, 1999 (ML051880382)
- J. Letter dated January 31, 2006 (ML060760638)
- K. Letter dated May 12, 2006 (ML061460081)

For the U. S. Nuclear Regulatory Commission

Date August 8, 2006

Original signed by Orysia Masnyk Bailey
By _____
Orysia Masnyk Bailey
Materials Security and Industrial Branch
Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406