

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.

03620

216766

Licensee

In accordance with letter dated

July 30, 2007,

1. Bayer Healthcare LLC

3. License number 13-02249-01 is amended in its entirety to read as follows:

2. 1884 Miles Avenue

4. Expiration date December 31, 2010

Elkhart, IN 46514-2282

5. Docket No. 030-04336

Reference No.

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. Hydrogen-3

A. As radiological contaminants

A. See Item 9

B. Carbon-14

B. As radiological contaminants

B. See Item 9

C. Sulfur-35

C. As radiological contaminants

C. See Item 9

D. Phosphorus-32

D. As radiological contaminants

D. See Item 9

E. Iodine-125

E. As radiological contaminants

E. See Item 9

F. Cesium-137

F. As radiological contaminants

F. See Item 9

G. Iodine-129

G. As radiological contaminants

G. See Item 9

9. Authorized Use:

A.-G Possession incident to remediation, and decontamination of residual contaminants in licensee facilities, and radiological characterization and final status surveys of licensee facilities.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**License Number
13-02249-01Docket or Reference Number
030-04336

Amendment No. 52

CONDITIONS

10. Licensed material shall be used only at the licensee's facilities located at 1884 Miles Avenue, Elkhart, Indiana or 1000 Randolph Street, Elkhart, Indiana.
11. Licensed material shall be used by, or under the supervision of, individuals designated by the licensee's Radiation Safety Officer, Shannon Gleason, Ph.D.
12. A. Sealed sources shall be tested for leakage and/or contamination at intervals not to exceed 6 months or at such other intervals as specified by the certificate of registration referred to in 10 CFR 32.210.
- B. In the absence of a certificate from a transferor indicating that a leak test has been made within 6 months prior to the transfer, a sealed source received from another person shall not be put into use until tested.
- C. Sealed sources need not be leak tested if:
- (i) they contain only hydrogen-3; or [REDACTED]
 - (ii) they contain only a radioactive gas; or
 - (iii) the half-life of the isotope is 30 days or less; or
 - (iv) they contain not more than 100 microcuries of beta and/or gamma emitting material or not more than 10 microcuries of alpha emitting material; or
 - (v) they are not designed to emit alpha particles, are in storage, and are not being used. However, when they are removed from storage for use or transferred to another person, and have not been tested within the required leak test interval, they shall be tested before use or transfer. No sealed source or detector cell shall be stored for a period of more than 10 years without being tested for leakage and/or contamination.
- D. The leak test shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. If the test reveals the presence of 0.005 microcurie or more of removable contamination, a report shall be filed with the U.S. Nuclear Regulatory Commission in accordance with 10 CFR 30.50(b)(2), and the source shall be removed immediately from service and decontaminated, repaired, or disposed of in accordance with Commission regulations. The report shall be filed within 5 days of the date the leak test result is known with the U.S. Nuclear Regulatory Commission, Region III, ATTN: Chief, Nuclear Materials Safety Branch, 801 Warrenville Road, Lisle, Illinois 60532-4351. The report shall specify the source involved, the test results, and corrective action taken.

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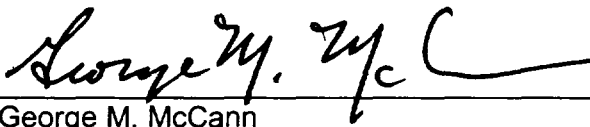
E. The licensee is authorized to collect leak test samples for analysis by GTS Instrument Services. Alternatively, tests for leakage and/or contamination may be performed by persons specifically licensed by the Commission or an Agreement State to perform such services.

13. Sealed sources containing licensed material shall not be opened.
14. The licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license.
15. Licensed material shall not be used in or on human beings or in field applications.
16. The decommissioning schedule end date is extended to March 31, 2008.
17. 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 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 November 15, 2000; [REDACTED]
- B. Fax transmittal dated December 12, 2000 and [REDACTED]
- C. Letters dated December 19, 2002, May 9, 2003, April 5, 2004, and July 30, 2007.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date AUG 06 2007

By

George M. McCann
Decommissioning Branch
Region III