



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

September 21, 2007

Docket Nos. 030-05980
030-03982
Control Nos. 141045
141046

License Nos. 37-00030-02
37-00030-08

William E. Lynch, Jr.
Vice President
Safety Light Corporation
4150-A Old Berwick Road
Bloomsburg, PA 17815

SUBJECT: SAFETY LIGHT CORPORATION, LICENSE AMENDMENT, CONTROL NOS.
141045 AND 141046

Dear Mr. Lynch:

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.

In addition, please note that the new Radiation Safety Officer also becomes responsible for the distribution activities performed under License Nos. 37-00030-09G and 37-00030-10G. These licenses do not require an amendment at this time, because a Radiation Safety Officer is not listed on the licenses. However, there are activities that must be performed and reports that must be submitted, in accordance with the commitments made and the regulations pertinent to these licenses.

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 **Regulations, Guidance, and Communications**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 7:00 a.m. to 8:00 p.m. EST, Monday through Friday (except Federal holidays).

W. Lynch
Safety Light Corporation

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Thank you for your cooperation.

Sincerely,

Original signed by Elizabeth Ullrich

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

Enclosure:

1. License No. 37-00030-02, Amendment No. 56
2. License No. 37-00030-08, Amendment No. 18

cc:

Martha J. Rider, Radiation Safety Officer

W. Lynch
Safety Light Corporation

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SUNSI Review Complete: EUIrich

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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. Safety Light Corporation</p> <p>2. 4150-A Old Berwick Road Bloomsburg, Pennsylvania 17815</p>	<p>In accordance with the letter dated September 11, 2007,</p> <p>3. License number 37-00030-02 is amended in its entirety to read as follows:</p> <p>4. Expiration date December 31, 2007</p> <p>5. Docket No. 030-05980 Reference No.</p>	
<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Any byproduct material</p> <p>B. Any byproduct material</p>	<p>7. Chemical and/or physical form</p> <p>A. Any</p> <p>B. Any</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. See Condition 12</p> <p>B. 1 millicurie</p>
<p>9. Authorized use:</p> <p>A. Characterization and decommissioning of contaminated facilities, equipment and land.</p> <p>B. Instrument calibration.</p>		

CONDITIONS

10. Licensed material may be used or stored only at the licensee's facilities located at 4150-A Old Berwick Road, Bloomsburg, Pennsylvania.
11. A. Licensed material shall be used by, or under the supervision of Martha Rider.
- B. The Radiation Safety Officer for this license is Martha Rider.
12. The amount of material is limited to that amount existing in contaminated facilities, land, and equipment, as of January 3, 1995.

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13. The licensee is not authorized to begin other decommissioning activities described in the licensee's Decommissioning Plan until a Work Plan and a Health and Safety Plan for other activities have been submitted to the U.S. Nuclear Regulatory Commission and the Plans are approved in writing by the Region I Office.
14. A. Sealed sources shall be tested for leakage and/or contamination at intervals not to exceed six months or at the intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or under equivalent regulations of an Agreement State.
- B. Notwithstanding Paragraph A of this Condition, sealed sources designed to primarily emit alpha particles shall be tested for leakage and/or contamination at intervals not to exceed 3 months.
- C. Each sealed source fabricated by the licensee shall be inspected and tested for construction defects, leakage, and contamination prior to any use or transfer as a sealed source.
- D. In the absence of a certificate from a transferor indicating that a leak test has been made within the intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or under equivalent regulations of an Agreement State, prior to the transfer, a sealed source received from another person shall not be put into use until tested and the test results received.
- E. Sealed sources need not be tested if they contain only hydrogen-3; or they contain only a radioactive gas; or the half-life of the isotope is 30 days or less; or they contain not more than 100 microcuries of beta- and/or gamma-emitting material or not more than 10 microcuries of alpha-emitting material.
- F. Sealed sources need not be tested if they 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 shall be stored for a period of more than 10 years without being tested for leakage and/or contamination.
- G. The leak test shall be capable of detecting the presence of 0.005 microcurie (185 becquerels) of radioactive material on the test sample. If the test reveals the presence of 0.005 microcurie (185 becquerels) or more of removable contamination, a report shall be filed with the U.S. Nuclear Regulatory Commission in accordance with 10 CFR 30.50(c)(2), and the source shall be removed immediately from service and decontaminated, repaired, or disposed of in accordance with Commission regulations.
- H. Tests for leakage and/or contamination, including leak test sample collection and analysis, shall be performed by the licensee or by other persons specifically licensed by the U.S. Nuclear Regulatory Commission or an Agreement State to perform such services.
- I. Records of leak test results shall be kept in units of microcuries and shall be maintained for 5 years.

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15. 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.
16. The licensee shall not use licensed material in or on human beings except as provided otherwise by specific condition of this license.
17. Pursuant to 10 CFR 30.11, the licensee is granted an exemption from 10 CFR 30.32(h) and 30.35(a) through (f) provided the licensee makes monthly deposits into the decommissioning trust fund in the amount of \$12,000 per month, payable by the first day of each month, during the license renewal period.
- Funds in the decommissioning trust fund may not be committed or used without the written permission of the Region I (RI) Regional Administrator and shall be used only for reasonable expenses directly associated with decommissioning activities (including disposal of tritium wastes from pre-2000 license activities) for the site and for maintenance of the perimeter fence and warning signs. Legal fees and expenses of counsel shall not be chargeable against the decommissioning trust fund.
 - Payments by the licensee to another Federal or State agency in connection with decommissioning activities at the Bloomsburg site will be considered an offset against the licensee's required monthly payments to the decommissioning trust fund.
 - The NRC RI Regional Administrator may approve brief extensions in the decommissioning trust fund payment schedule upon the licensee's demonstration of good cause (for example, through appropriate financial records or showing of payments made to cover the cost of Bloomsburg site decommissioning activities undertaken by another Federal agency). If the licensee submits such demonstration at least 7 calendar days prior to the due date of any scheduled monthly payment, that payment will not be considered delinquent during the pendency of such request or when a revised payment schedule is approved.
 - The licensee will report to the NRC and the Pennsylvania Department of Environmental Protection (PADEP), within 10 calendar days, any failure to make a payment to the decommissioning trust fund. The report shall discuss the cause of the failure, corrective actions to prevent repetition, and why the NRC should have confidence that the licensee has sufficient resources to conduct licensed activities safely. Any failure to make a payment when due, that has not been cured by payment in full within 90 calendar days of the due date, shall result in the rescission of the aforementioned exemption from 10 CFR 30.32(h) and 30.35(a-f) as well as the immediate suspension of this license without further action by the NRC. If failure to make a payment is not fully cured within 90 calendar days of the due date, the licensee will immediately initiate any and all actions to comply with 10 CFR 30.36(b) and (c).

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18. The licensee will cease activities at the Bloomsburg site by December 31, 2007, and agrees not to request renewal of this license beyond that date.
- a. The licensee will develop a plan for orderly shutdown of its licensed activities at the Bloomsburg site and submit such plan by March 31, 2006, to the NRC RI Regional Administrator, for approval, with a copy provided to PADEP.
 - b. The licensee agrees to submit quarterly progress reports to NRC and PADEP beginning on September 30, 2005, regarding the development and implementation of said plan.
 - c. Consistent with the requirements of 10 CFR 30.36(c), this plan will include provisions to cooperate fully with EPA emergency removal and remediation efforts, including continued security to assure safe conditions at the site and the removal and disposal of non-radiological waste on an ongoing basis
19. In the event that the Commonwealth of Pennsylvania acquires, pursuant to an agreement with the NRC under Section 274b of the Atomic Energy Act, as amended, regulatory authority over the above-mentioned licenses for the Bloomsburg site, all responsibilities of, and references to, the "NRC" specified in this settlement agreement shall be deemed to refer to the "Commonwealth of Pennsylvania" or the appropriate State agency.
20. The licensee is authorized to transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."

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21. 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. Trust Agreement (with The Chase Manhattan Bank, now JP Morgan), dated December 12, 1994
 - B. Health and Safety Program, Revision 11, dated September 29, 1998 [ML003727440] as revised by the letter dated August 19, 1999 [ML003727446]
 - C. Decommissioning Plan dated October 26, 2000 [ML003764996] with revisions dated December 6, 2000 [ML003775924]
 - D. Letter dated April 22, 2004 [ML041310318]
 - E. Letter dated October 26, 2004 [ML043130195]
 - F. Settlement Agreement, as approved by the Atomic Safety and Licensing Board in LBP-05-14 on June 29, 2005 [ML051800476]
 - G. Letter dated March 15, 2006 [ML060970415]

For the U.S. Nuclear Regulatory Commission

Original signed by Elizabeth UllrichDate September 21, 2007

Elizabeth Ullrich
Commercial and R&D Branch
Region I
King of Prussia, Pennsylvania 19406