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

February 5, 2007

Docket No. 03005222
Control No. 139981

License No. 29-00139-02

Michael J. Vala, C.H.P.
Radiation Safety Officer/Manager, EHS
E. R. Squibb & Sons, Inc.
311 Pennington-Rocky Hill Road
Mail Stop HW8T-1.12
Pennington, NJ 08534-2130

SUBJECT: E. R. SQUIBB & SONS, INC., LICENSE AMENDMENT, CONTROL NO. 139981

Dear Mr. Vala:

This refers to your license amendment request. Enclosed with this letter is the amended license. This amendment allows your laboratory fume hoods to operate at an average range of 80-110 feet per minute as requested in your letter dated January 16, 2007.

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).

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F/11

M. Vala
E.R. Squibb & Sons, Inc.

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Thank you for your cooperation.

Sincerely,

Original signed by Dennis R. Lawyer

Dennis R. Lawyer
Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety

Enclosure:
Amendment No. 111

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M. Vala
E.R. Squibb & Sons, Inc.

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SUNSI Review Complete: DLawyer

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|--------|----------------|---|---------|--|---------|--|--|
| OFFICE | DNMS/RI | N | DNMS/RI | | DNMS/RI | | |
| NAME | DLawyer /DRL1/ | | | | | | |
| DATE | 02/05/2007 | | | | | | |

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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 | | In accordance with the letter dated January 16, 2007, |
| 1. E. R. Squibb & Sons, Inc. | | 3. License number 29-00139-02 is amended in its entirety to read as follows: |
| 2. 311 Pennington-Rocky Hill Road Mail Stop HW8T-1.12 Pennington, New Jersey 08534-2130 | | 4. Expiration date September 30, 2008 |
| | | 5. Docket No. 030-05222 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. Any byproduct material with atomic numbers 1 through 83, except Strontium 90 | A. Any | A. 100 millicuries per radionuclide and 2 curies total |
| B. Hydrogen 3 | B. Any | B. 20 curies |
| C. Carbon 14 | C. Any | C. 20 curies |
| D. Strontium 90 | D. Any | D. 2 millicuries |
| E. Technetium 99m | E. Any | E. 750 millicuries |
| F. Any byproduct material with atomic numbers 84 through 103 | F. Any | F. 1 millicurie |
| G. Nickel 63 | G. Foil or plated sources registered either with the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or with an Agreement State. | G. No single source to exceed the maximum activity specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission or an Agreement State |

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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

H. Any byproduct material with atomic numbers 1 through 83, except Strontium 90

H. Any

H. 200 millicuries per radionuclide and 6 curies total

I. Hydrogen 3

I. Any

I. 250 curies

J. Carbon 14

J. Any

J. 25 curies

K. Phosphorus 33

K. Any

K. 1 curie

L. Sulfur 35

L. Any

L. 10 curies

M. Iodine 125

M. Any

M. 500 millicuries

N. Any byproduct material with atomic numbers 1 through 83, except, Strontium 90

N. Any

N. 200 millicuries per radionuclide and 6 curies total

O. Hydrogen 3

O. Any

O. 1 curie

P. Carbon 14

P. Any

P. 1 curie

Q. Sulfur 35

Q. Any

Q. 300 millicuries

R. Calcium 45

R. Any

R. 300 millicuries

(b)(7)(F)

9. Authorized use:

A. through F. and H. through R.

Research and development as defined in 10 CFR 30.4; animal studies; and calibration and checking of the licensee's instruments.

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B. and C. Preparation and distribution of radioactive drugs to authorized recipients in accordance with 10 CFR 32.72.

G. To be used for sample analysis in compatible gas chromatography devices that have been registered either with the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or with an Agreement State and have been distributed in accordance with a Commission or Agreement State specific license authorizing distribution to persons specifically authorized by a Commission or Agreement State license to receive, possess, and use the devices.

(b)(7)(F)

CONDITIONS

10. A. Licensed material in Items 6.A. through 6.G. may only be used at the licensee's facilities located at One Squibb Drive, New Brunswick, New Jersey.
- B. Licensed material in Items 6.G., 6.H. through 6.M. [and 6.S.] may only be used at the licensee's facilities located at Route 206 and Provinceline Road, Lawrenceville, New Jersey.
- C. Licensed material in Items 6.G. and 6.N. through 6.R. may only be used at the licensee's facilities located at 311 Pennington-Rocky Hill Road, Pennington, New Jersey.
11. A. Licensed material shall be used by, or under the supervision of, individuals designated by the licensee's Radiation Safety Committee.
- B. The Radiation Safety Officer for this license is Michael J. Vala, CHP.
12. The licensee shall not use licensed material in or on human beings except as provided otherwise by specific condition of this license.
13. The licensee shall not use licensed material in field applications where it is released except as provided otherwise by specific condition of this license.
14. Experimental animals administered licensed materials or their products shall not be used for human consumption.

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15. This license does not authorize commercial distribution of licensed material to persons generally licensed pursuant to 10 CFR Part 31 or equivalent regulations of any Agreement State or to persons exempt from licensing pursuant to 10 CFR 30.14 through 30.20 inclusive, or equivalent regulations of any Agreement State.
16. This license does not authorize commercial distribution of licensed material.
17. A. Sealed sources shall be tested for leakage and/or contamination at intervals not to exceed 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.

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- 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.
18. The licensee shall conduct a physical inventory every six months, or at other interval approved by the U.S. Nuclear Regulatory Commission, to account for all sealed sources and/or devices received and possessed under the license.
19. Sealed sources or detector cells containing licensed material shall not be opened or sources removed from source holders by the licensee.
- (b)(7)(F)
21. A. Detector cells containing a titanium tritide foil or a scandium tritide foil shall only be used in conjunction with a properly operating temperature control mechanism which prevents the foil temperatures from exceeding that specified in the certificate of registration referred to in 10 CFR 32.210.
- B. When in use, detector cells containing a titanium tritide foil or a scandium tritide foil shall be vented to the outside.
22. The licensee is authorized to hold byproduct material with a physical half-life of less than or equal to 120 days for decay-in-storage before disposal without regard to its radioactivity if the licensee:
- A. Monitors byproduct material at the surface before disposal and determines that its radioactivity cannot be distinguished from the background radiation level with an appropriate radiation detection survey meter set on its most sensitive scale and with no interposed shielding; and
- B. Removes or obliterates all radiation labels, except for radiation labels on materials that are within containers and that will be managed as biomedical waste after they have been released from the licensee; and
- C. Maintains records of the disposal of licensed materials for 3 years. The record must include the date of disposal, the survey instrument used, the background radiation level, the radiation level measured at the surface of each waste container, and the name of the individual who performed the disposal.

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23. The licensee may transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
24. 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. Letter dated June 20, 1994 [ML070310637]
 - B. Application dated February 18, 1997 [ML070320052]
 - C. Letter dated August 19, 1998 [ML070310606]
 - D. Letter dated October 2, 2001 [ML012840012]
 - E. Letter dated October 15, 2001 [ML012920254]
 - F. Letter dated February 6, 2002 [ML020390283]
 - G. Letter dated April 24, 2002 [ML021220488]
 - H. Letter dated March 19, 2003 [ML030900805]
 - I. Letter dated November 22, 2004 [ML043380281]
 - J. Letter dated January 16, 2007 [ML070230689]

For the U.S. Nuclear Regulatory Commission

Date February 5, 2007

By

Original signed by Dennis R. Lawyer

Dennis R. Lawyer
Commercial and R&D Branch
Region I
King of Prussia, Pennsylvania 19406