

MATERIALS LICENSE

CORRECTED COPY

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. American Biogenetic Sciences, Inc.	3. License Number	13-26719-01
2. 1539 North Ironwood Drive South Bend, IN 46635	4. Expiration Date	July 31, 2001
	5. Docket or Reference No.	030-34124
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. Technetium-99m	A. Unit doses	A. 50 millicuries total
9. Authorized Use:		
A. To be used for labeling proteins in in-vitro and in-vivo animal studies.		

CONDITIONS

10. Licensed material shall be used only at the licensee's facilities located at 1976 East McKinley Avenue, Mishawaha, Indiana.
11. Licensed material shall be used by, or under the supervision of, Kirk Guyer, David Carville, Ph.D., James McLinden, Ph.D., or John Scheu, Ph.D.
12. The Radiation Safety Officer for this license is Kirk Guyer.
13. The licensee is authorized to hold radioactive material with a physical half-life of less than 65 days for decay-in-storage before disposal in ordinary trash provided:
 - A. Radioactive waste to be disposed of in this manner shall be held for decay a minimum of 10 half-lives.
 - B. Before disposal as ordinary trash, byproduct material shall be surveyed at the container surface with the appropriate survey meter set on its most sensitive scale and with no interposed shielding to determine that its radioactivity cannot be distinguished from background. All radiation labels shall be removed or obliterated.

060054

9611060182 961022
PDR ADOCK 03034124
C PDR

COPY

9/23/01
ML
30
50

MATERIALS LICENSE
SUPPLEMENTARY SHEET

License Number

13-26719-01

Docket or Reference Number

030-34124

CORRECTED COPY

- C. A record of each disposal permitted under this License Condition shall be retained for three years. The record must include the date of disposal, the date on which the byproduct material was placed in storage, the radionuclides disposed, the survey instrument used, the background dose rate, the dose rate measured at the surface of each waste container, and the name of the individual who performed the disposal.
14. Experimental animals, or the products from experimental animals, that have been administered licensed materials shall not be used for human consumption.
15. Licensed material shall not be used in or on human beings.
16. The licensee may not possess and use materials authorized in Items 6, 7, and 8 until:
1. The licensee has constructed the facilities and obtained the equipment described in the application and supporting documentation; and
 2. The U. S. Nuclear Regulatory Commission, Region III, ATTN: Chief, Materials Licensing Branch, 801 Warrenville Road, Lisle, IL 60532-4351 has been notified that activities authorized by the license will be initiated.
17. Within 30 days of the date of a decision not to complete the facility, acquire equipment, or possess and use authorized material, the licensee must notify the Commission in writing, of the decision.
18. 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 26, 1996 (with attachments).

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date

October 22, 1996

By

Leticia J. LeDuc

Nuclear Materials Licensing Branch, Region III

COPY

OCT 23 1996

Kirk Guyer
Radiation Safety Officer
American Biogenetic Sciences, Inc.
1539 North Ironwood Drive
South Bend, IN 46635

Dear Mr. Guyer:

It has come to our attention that License Number 13-26719-01 issued on July 23, 1996 contained an error.

Enclosed is a corrected copy reflecting the correct location of use address noted to be in error. We apologize for any inconvenience this may have caused you.

Sincerely,

Original Signed By
Patricia J. Pelke
Nuclear Materials Licensing Branch

License No.: 13-26719-01
Docket No.: 030-34124

Enclosure: Corrected Copy of
License No. 13-26719-01

DOCUMENT NAME: M:\03034124.CC6

To receive a copy of this document, indicate in the box: "C" = Copy without enclosures "E" = Copy with enclosures "N" = No copy

OFFICE	DNMS/RIII								
NAME	PPELKE:jaw								
DATE	10/27/96								

OFFICIAL RECORD COPY

Wednesday

October 9, 1996

2:30 pm

Patty: I spoke with Kirk Guyer from American Biogenetic Sciences, Inc. He is requesting a corrected copy of his new license, which was issued on July 23, 1996. Evidently, condition 10 is incorrect. I pulled the license file, looked up the original license application and I put a red flag where it shows the address for the place of use. I signed the license file out to you. Kirk Guyer's phone number is (219) 271-3415 if you have any questions for him.

Thank You - Debo