

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, 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. U.S. Department of Commerce
National Institute of Standards and
Technology
2. 325 Broadway - 813.06
Boulder, Colorado 80303

In accordance with letter dated
September 12, 1996

3. License number 05-03166-05 is amended in
its entirety to read as follows:

4. Expiration date January 31, 2005

5. Docket or
Reference No 030-03732

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. Nickel-63

A. Foils or plated
sources

A. See Condition 9.A.

B. Polonium-210

B. Sealed sources

B. Not to exceed 40
millicuries per
source

C. Iron-55

C. Sealed sources

C. Not to exceed 100
millicuries per
source

9. Authorized use

- A. To be used, for evaluated and approved licensing purposes in gas chromatographs which have been registered either with NRC under 10 CFR 32.210 or with an Agreement State and have been distributed in accordance with an NRC or Agreement State specific license authorizing distribution to persons specifically authorized by an NRC or Agreement State license to receive, possess, and use the devices.

B. For storage only.

CONDITIONS

10. A. Licensed material shall be used only at the licensee's facilities located at 325 Broadway, Boulder, Colorado.

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MATERIALS LICENSE
SUPPLEMENTARY SHEET

License Number
05-03166-05

Docket or Reference Number
030-03732

Amendment No. 20

- B. Licensed material shall be stored only at the licensee's facilities at 325 Broadway, Boulder, Colorado.
11. A. Licensed material shall be used by, or under the supervision of, Thomas J. Bruno, or Earle S. Pittman.
- B. The Radiation Safety Officer for this license is Earle S. Pittman.
12. Detector cells containing licensed material shall not be opened or the foil sources removed from the detector cell by the licensee.
13. A. Sealed sources and detector cells 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. Notwithstanding Paragraph A of this Condition, sealed sources designed to emit alpha particles shall be tested for leakage and/or contamination at intervals not to exceed 3 months.
- C. 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 or detector cell received from another person shall not be put into use until tested.
- D. Sealed sources need not be leak tested if:
- (i) they contain only hydrogen-3; or
 - (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.
- E. 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

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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 IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011, ATTN: Director, Division of Radiation Safety and Safeguards. The report shall specify the source involved, the test results, and corrective action taken.

- F. The licensee is authorized to collect leak test samples for analysis by the University of Colorado's Health Physics Laboratory, Department of Environmental Health and Safety. 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.
14. Maintenance, repair, cleaning, replacement, and disposal of foils contained in detector cells shall be performed only by the device manufacturer or other persons specifically authorized by the Commission or an Agreement State to perform such services.
15. The licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license.
16. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of licensed material to quantities below the minimum limit specified in 10 CFR 30.35(d) for establishing decommissioning financial assurance.
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 July 20, 1994
B. Letter dated January 12, 1995
C. Letter dated September 12, 1996

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date _____

DEC 31 1996

By

Nuclear Materials Licensing Branch
Region IV
Arlington, Texas 76011



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV

611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

December 31, 1996

Department of Commerce
ATTN: Earle S. Pittman
Radiation Safety Officer
RAS/MC4
325 Broadway
Boulder, Colorado 80303

SUBJECT: LICENSE AMENDMENT

Please find enclosed License No. 05-03166-05. You should review this license carefully and be sure that you understand all conditions. If you have any questions, you may contact the reviewer who signed your license at 817-860-8143.

NRC expects licensees to conduct their programs with meticulous attention to detail and a high standard of compliance. Because of the serious consequences to employees and the public which can result from failure to comply with NRC requirements, you must conduct your program involving radioactive materials in accordance with the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

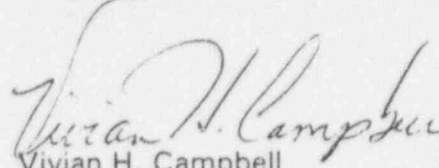
1. Operate in accordance with NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers: Inspection and Investigations," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Possess radioactive material only in the quantity and form indicated in your license.
3. Use radioactive material only for the purpose(s) indicated in your license.
4. Notify NRC in writing of any change in mailing address (no fee required if the location of radioactive material remains the same).
5. Request and obtain written NRC consent before transferring your license or any right thereunder, either voluntarily or involuntarily, directly or indirectly, through transfer of control of your license to any person or entity. A transfer of control of your license includes not only a total change of ownership, but also a change in the controlling interest in your company whether it is a corporation, partnership, or other entity. In addition, appropriate license amendments must be requested and obtained for any other planned changes in your facility or program that are contrary to your license or contrary to representations made in your license application, as well as supplemental correspondence thereto, which are incorporated into your license. A license fee may be charged for the amendments if you are not in a fee-exempt category.

6. Maintain in a single document decommissioning records that have been certified for completeness and accuracy listing all the following items applicable to the license:
 - Onsite areas designated or formerly designated as restricted areas as defined in 10 CFR 20.3(a)(14) or 20.1003.
 - Onsite areas, other than restricted areas, where radioactive materials in quantities greater than amounts listed in Appendix C to 10 CFR 20.1001-20.2401 have been used, possessed, or stored.
 - Onsite areas, other than restricted areas, where spills or other unusual occurrences involving the spread of contamination in and around the facility, equipment, or site have occurred that required reporting pursuant to 10 CFR 30.50(b)(1) or (b)(4), including areas where subsequent cleanup procedures have removed the contamination.
 - Specific locations and radionuclide contents of previous and current burial areas within the site, excluding radioactive material with half-lives of 10 days or less, depleted uranium used only for shielding or as penetrators in unused munitions, or sealed sources authorized for use at temporary job sites.
 - Location and description of all contaminated equipment involved in licensed operations that is to remain onsite after license termination.
7. Submit a complete renewal application with proper fee, or termination request at least 30 days before the expiration date on your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of radioactive material after your license expires is a violation of NRC regulations.
8. Request termination of your license if you plan to permanently discontinue activities involving radioactive material.

You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you. This could include issuance of a notice of violation; imposition of a civil penalty; or an order suspending, modifying, or revoking your license as specified in the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), 60 FR 34381, June 30, 1995.

Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script, reading "Vivian H. Campbell". The signature is written in dark ink and is positioned above the printed name.

Vivian H. Campbell
Senior Health Physicist
Nuclear Materials Licensing Branch

Docket: 030-03732
License: 05-03166-05
Control: 466202

Enclosures: As stated

DOCUMENT NAME: P:\Commerce.mlc

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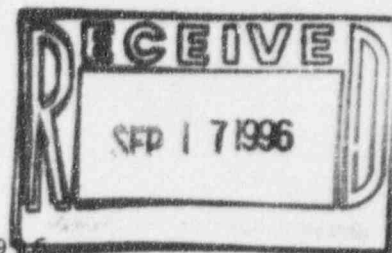
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National Oceanic and Atmospheric Administration,
Host Agency serving:

Bureau of the Census
Bureau of Export Administration
Economic Development Administration
International Trade Administration
Minority Business Development Agency
National Institute of Standards and Technology
National Telecommunications and Information Administration
Office of the Inspector General



U.S. DEPARTMENT OF COMMERCE
Mountain Administrative Support Center
325 Broadway
Boulder, Colorado 80303-3328



September 12, 1996

Anthony Gaines
Health Physicist
Nuclear Materials Licensing Branch
U.S. Nuclear Regulatory Commission
Region 14
611 Ryan Plaza Drive, Suite 400
Arlington, Texas 76011-8064

Dear Mr. Gaines:

We request that our NRC License number 05-03166-05, docket number 030-03732 be amended as follows:

1. Add item 6C. Iron-55, ^{accelerator produced} item 7C. sealed source, item 8C. Not to exceed 100 millicuries per source.
2. Delete from item 11A. Paul Golden.
3. Delete items 12A and 12B as being not applicable.

Sincerely,

Earle S. Pittman
Radiation Safety Officer

466202

