

MATERIALS LICENSE

Amendment No. 03

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 purposes(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.

OFFICIAL RECORD COPY

Licensee

1. Avitech Diagnostics, Inc.
30 Spring Mill Drive
2. Malvern, Pennsylvania 19355

In accordance with the letter dated
August 22, 1996,
3. License Number 37-28206-01 is amended in
its entirety to read as follows:

4. Expiration Date December 31, 2003

5. Docket or
Reference No. 030-30570

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. Phosphorus 32
B. Phosphorus 33
C. Sulfur 35
D. Iodine 125

A. Any
B. Any
C. Any
D. Any

A. 50 millicuries
B. 50 millicuries
C. 50 millicuries
D. 15 millicuries

9. Authorized use

A. through D. Research and development as defined in 10 CFR 30.4.

CONDITIONS

10. Licensed material may be used only at the licensee's facilities located at 30 Spring Mill Drive, Malvern, Pennsylvania.
11. A. Licensed material shall be used by, or under the supervision of, Edward Highsmith, Jr., Ph.D., Anne Bailey, Jay Stoerker, Ph.D., or Herb Poff.
B. The Radiation Safety Officer for this license is Edward Highsmith, Jr., Ph.D.
12. Licensed material shall not be used in or on human beings.
13. The licensee shall not use licensed material in field applications where activity is released except as provided otherwise by specific condition of this license.
14. The licensee is authorized to hold radioactive material with a physical half-life of less than or equal to 120 days for decay-in-storage before disposal in ordinary trash, provided:
A. Waste to be disposed of in this manner shall be held for decay a minimum of ten half-lives.

100015



9706180084 970201
PDR ADOCK 03030570
C PDR

ML 10

MATERIALS LICENSE
SUPPLEMENTARY SHEET

License Number

37-28206-01

Docket or Reference Number

030-30570

Amendment No. 03

- B. Before disposal as ordinary trash, the waste shall be surveyed at the container surface with the appropriate survey instrument 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.
- C. A record of each such 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.
15. The licensee is authorized to transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
16. 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 28, 1993

Date

FEB - 1 1997

For the U.S. Nuclear Regulatory Commission

Original Signed By:

Pamela J. Henderson

By

Nuclear Materials Safety Branch
Region I
King of Prussia, Pennsylvania 19406

FEB - 1 1997

License No. 37-28206-01
Docket No. 030-30570
Control No. 123689

Anne L. Bailey
Vice President of Operations
Avitech Diagnostics, Inc.
30 Spring Mill Drive
Malvern, PA 19355

Dear Ms. Bailey:

This refers to your license amendment request. Enclosed with this letter is the amended license. Please note that as part of this amendment, in accordance with 10 CFR 30.36, effective February 15, 1996, the expiration date of your license has been extended by a period of five years. Your new expiration date is stated in Item 4 of the license.

In accordance with your letter dated August 22, 1996, the name change to Avitech Diagnostics has been made. Additionally, in accordance with the letter dated February 10, 1994 from Herbert E. Poff, your Radiation Safety Coordinator, Madhu Somasekhar, Ph.D. has been deleted from condition 11.A. of your license.

Please refer to the enclosed "Guidance to Licensees Regarding Requests to Dispose of Radioactive Waste by Decay-In-Storage". Condition 14 of your license was modified from that appearing in your previous amendment No. 02 to conform with this current NRC licensing policy. Rather than listing specific byproduct material with half lives greater than 65 days but less than or equal to 120 days (such as sulfur-35), you now have the flexibility to store any byproduct material in waste authorized by your license with half-lives less than or equal to 120 days.

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) 337-5093 or 5239, so that we can provide appropriate corrections and answers.

Thank you for your cooperation.

Sincerely,

Original Signed By:

Pamela J. Henderson
Division of Nuclear Materials Safety

License No. 37-28206-01
Docket No. 030-30570
Control No. 123689

Enclosure:

1. Amendment No. 03
2. Guidance to Licensees Regarding Requests
to Dispose of Radioactive Waste by
Decay-In-Storage

DOCUMENT NAME: R:\WPS\MLTR\L3728206.01

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/enc "E" = Copy w/ attach/enc "N" = No copy

OFFICE	DNMS/RI	<input checked="" type="checkbox"/>	N	DNMS/RI	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NAME	PHenderson							
DATE	09/24/96	09/ /96			09/ /96			09/ /96

OFFICIAL RECORD COPY



AVITECH
DIAGNOSTICS

030-30570
37-28206-01

August 22, 1996

License Fee and Accounts Receivable
U.S. Nuclear Regulatory Commission
P.O. Box 954514
St. Louis, MO 63195-4514

Dear Sirs:

Please note on the invoice the name change to Avitech Diagnostics, Inc. from Applied Technology Genetics Corporation. This name change became effective in January of 1996. The ownership and company officers have all remained as previously specified on the license application.

Thank you for your assistance with this matter.

Sincerely,

Anne L. Bailey
Anne L. Bailey
V.P. of Operations

1996 AUG 27 PM 3:11

OFFICIAL RECORD COPY

ML 10

123689

Orig to RI 9/13/96 SK

REC'D IN LAS *FROM HQ*

SEP 16 1996



AVITECH
DIAGNOSTICS

1997 JAN 24 PM 3:54

January 16, 1997

Brenda Brown
License Analyst
License Fee and Debt collection Branch
Division of Accounting and Finance
Office of the Controller
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Dear Brenda:

The enclosed check in the amount of \$610.00 is for full payment for the amendment on NRC license 37-28206-01 (control number 123689) regarding the corporate name change from Applied Technology Genetics Corporation to Avitech diagnostics, Inc.

As we discussed on January 15, 1997, additional information regarding the amendment issued control number 123689 is the change of the RSO listed on the license. Dr. Edward Highsmith, Jr. listed as RSO has left the company to return to academic medicine. Dr. Anne C. Huff has replaced Dr. Highsmith as acting RSO at Avitech.

Thank you in advance for your assistance with this matter.

Sincerely,

Anne L. Bailey
Vice President of Operations

LICENSE FEE REQUIREMENTS

LICENSE FEE AND DEBT COLLECTION BRANCH
DIVISION OF ACCOUNTING AND FINANCE
OFFICE OF THE CONTROLLER
U.S. NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555-0001

TYPE OF ACTION

- ☐ NEW LICENSE
☐ RENEWAL OF LICENSE
☒ AMENDMENT TO LICENSE

REQUESTED DATE

8-22-96

LICENSE NUMBER

37-28206-01

CONTROL NUMBER

123589

APPLIED TECHNOLOGY GENETICS CORPORATION
ATTN: ANNE L. BAILEY
VICE PRESIDENT OF OPERATIONS
30 SPRING MILL DRIVE
MALVERN, PA 19355

I. APPLICATION FEE DUE

Your request for a licensing action is subject to the fee(s) in the category(ies) noted below in accordance with Section 170.31 of the enclosed Federal Register notice. Payment of the fee is required prior to the issuance of the license, renewal, or amendment.

FEE CATEGORY	APPLICATION	RENEWAL	AMENDMENT
3M	\$	\$	\$ 610.00
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$

FEE(s) DUE	\$	610.00
PAYMENT RECEIVED	\$	0.00
AMOUNT DUE	\$	610.00

☒ Your request was received without the prescribed application fee.

☐ We received your Check No. _____ in the amount of \$ _____. Payment of the additional fee noted above is required.

☐ Your request will increase the scope of your license program. Therefore, your request is subject to the application fee(s) noted above. Refer to Section 170.31 and Footnote 1(d)(2).

☐ Your license expired prior to the receipt of your application for renewal. Therefore, your request is subject to the application fee(s) noted above. Refer to Section 170.31 and Footnote 1(a).

MAKE PAYMENT OF THE FEE(S) TO THE U.S. NUCLEAR REGULATORY COMMISSION AND MAIL THE PAYMENT TO THE ADDRESS LISTED AT THE TOP OF THIS FORM. IF WE DO NOT RECEIVE A REPLY FROM YOU WITHIN 30 CALENDAR DAYS FROM THE DATE LISTED BELOW, WE SHALL ASSUME THAT YOU DO NOT WISH TO PURSUE YOUR APPLICATION AND WILL VOID THIS ACTION.

SIGNATURE -- LICENSE FEE ANALYST

BRENDA BROWN

LFDCB

BB BA

9/23/96

LFDCB

Distribution
Region 1
Pending
BBrown
LFDCB R/P
DC/DAF/SI (LF-3.2.7)

DATE

9-23-96

II. FEE NOT REQUIRED

☐ Enclosed is Check No. _____ which accompanies your request. The fee is not required because:

☐ We received your Check No. _____ in payment of the fee.

☐ The Licensing staff has informed us that your request is to be considered as a continuation of your request dated _____, Control No. _____.

☐ Your request was combined, prior to review, with your request, Control No. _____.

III. CHECK RETURNED

☐ Enclosed is Check No. _____ which was returned to us by the bank for:

☐ INSUFFICIENT FUNDS

☐ ACCOUNT CLOSED

☐ OTHER

MAIL THE REPLACEMENT CHECK TO THE ADDRESS LISTED AT THE TOP OF THIS FORM AND REFERENCE THE ABOVE CONTROL NUMBER.

IV. LICENSE ISSUED WITHOUT THE REQUIRED FEE

☐ License No. _____, Amendment No. _____, issued on _____.

_____ was issued without the required fee being collected. The fee required is noted in Section I of this form.

☐ The scope of your licensed program was increased. Therefore, your request is subject to the application fee(s) noted in Section I of this form. Refer to Section 170.31 and Footnote 1(d)(2).

☐ Because of the urgency of your request, the license was issued without remittance of the prescribed fee noted in Section I of this form.

LICENSE FEE MANAGEMENT BRANCH, ARM
AND
REGIONAL LICENSING SECTIONS

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: PROGRAM CODE: 03620
: STATUS CODE: 0
: FEE CATEGORY: 3M
: EXP. DATE: 20031231
: FEE COMMENTS:
: DECOM FIN ASSUR REQD: N

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A. REGION

APPLICANT/LICENSEE: APPLIED TECHNOLOGY GENETICS CORP.
RECEIVED DATE: 960916
DOCKET NO: 3030570
CONTROL NO.: 123689
LICENSE NO.: 37-28206-01
ACTION TYPE: AMENDMENT

AMOUNT: _____
CHECK NO.: _____

SIGNED
DATE

1. FEE CATEGORY AND AMOUNT: 3M 8610

AMENDMENT
RENEWAL
LICENSE

3. OTHER -----

SIGNED
DATE

Log Aug 25
 Remitter AVLESH DIAGNOSTICS INC
 Check No. 12206
 Amount \$610
 First Category 3M
 Time of Day AM
12/1/97
60

1/15/87

I called Arne Bailey
(610-889-9300) regarding
fee due for name change. I
told her this is very old action
and something needs to be done.
She assured me a check would
be sent expeditiously. She also
stated there is an ESD change fee new
not yet
submitted