

MATERIALS LICENSE

Amendment No. 16

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. Du Pont Merck Pharmaceutical Company
2. 331 Treble Cove Road
North Billerica, Massachusetts 01862

In accordance with the telephone conversation on February 5, 1997,
3. License Number 20-00320-16MD is amended in its entirety to read as follows:

4. Expiration Date July 31, 2005

5. Docket or Reference No. 030-11164

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. Molybdenum 99

A. Molybdenum 99/
Technetium 99m
Generators

A. Not applicable

B. Xenon-133

B. Gas or gas in solution

B. Not applicable

9. Authorized use

A. and B. Pursuant to 10 CFR 32.72, the licensee is authorized to distribute the licensed material described in Items 6 and 7 of this license to persons licensed pursuant to 10 CFR 35.57 and 10 CFR 35.200, or under equivalent licenses of Agreement States.

CONDITIONS

10. The licensee is authorized to distribute the licensed materials described in Items 6 and 7 of this license from the licensee's manufacturing plant at 331 Treble Cove Road, Billerica, Massachusetts.
11. This license does not authorize possession or use of licensed material.

030110



v/c

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number

20-00320-16MD

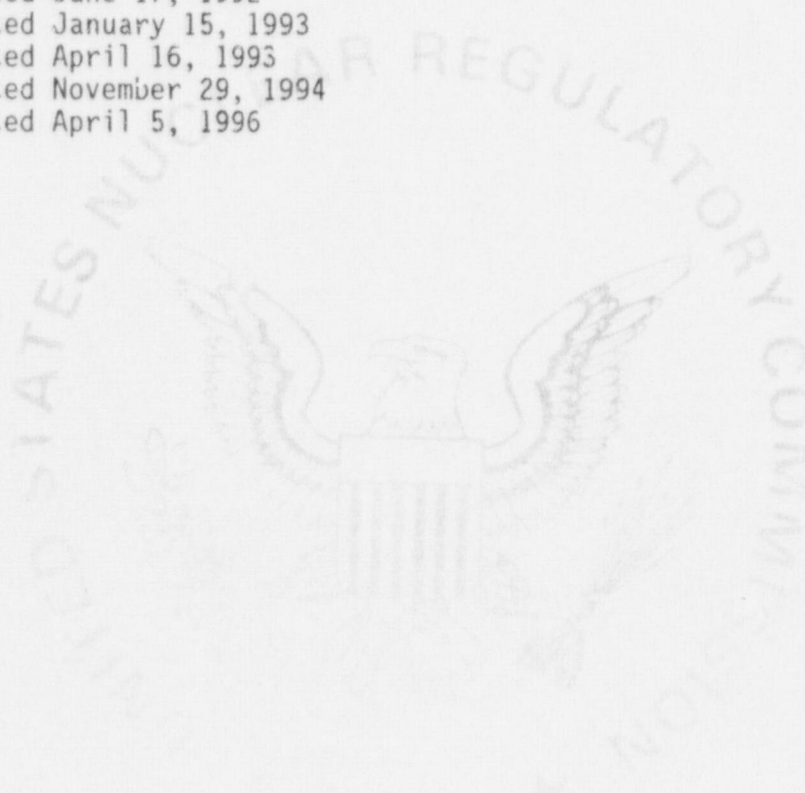
Docket or Reference Number

030-11164

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12. 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. Letter dated April 12, 1989
- B. Letter dated June 2, 1989
- C. Letter dated June 17, 1992
- D. Letter dated January 15, 1993
- E. Letter dated April 16, 1993
- F. Letter dated November 29, 1994
- G. Letter dated April 5, 1996



For the U.S. Nuclear Regulatory Commission

Original Signed By:

Keith D. Brown, Ph.D

By

Nuclear Materials Safety Branch
Region I

King of Prussia, Pennsylvania 19406

Date

MAR - 6 1997

MAR - 6 1997

Francis E. Roy, Jr.
Senior Health Physicist
Du Pont Merck Pharmaceutical Company
331 Treble Cove Road
North Billerica, MA 01862

Dear Mr. Roy:

This refers to our telephone conversation on February 5, 1997 concerning reference to redistribution centers on the NRC License No. 20-00320-16MD. The NRC has determined that there is no need for this reference on the license. All orders for material are placed through the North Billerica, Massachusetts facility, and the redistribution centers are licensed to possess the material in question under NRC License No. 20-00320-19. In order to facilitate transfer of licenses to Massachusetts when it becomes an Agreement State, we have removed the redistribution centers from the license as was agreed during the telephone conversation. This change in no way affects your authorized distribution activities. Because this change was made at our volition, we have issued the amendment without any written request from you. 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) 337-5093 or 5239, so that we can provide appropriate corrections and answers.

Thank you for your cooperation.

Sincerely,

Original Signed By:
Keith D. Brown, Ph.D.

Keith D. Brown, Ph.D.
Division of Nuclear Materials Safety

F. E. Roy
Du Pont Merck Pharmaceutical Company

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License No. 20-00320-16MD
Docket No. 030-11164
Control No. 124216


Enclosure:
Amendment No. 16

DOCUMENT NAME: R:\WPS\MLTR\L2000320.16D

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/ attach/encl "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	Brown/kdb <i>207</i>						
DATE	02/07/97	02/ /97	02/ /97	02/ /97	02/ /97	02/ /97	02/ /97

OFFICIAL RECORD COPY

TELEPHONE CONVERSATION RECORD		Date: February 5, 1997	Time: 1:30 p.m.
Mail Control No.: None	License: 20-00320-16MD 20-00320-19	Docket No.: 030-11164 030-13288	
Person Called: Skip Roy	Organization: DuPont-Merck Pharmaceutical Company	Telephone Number: (508) 671-8242	
Person Calling: Keith D. Brown			
Subject: Temporary Job Sites and sites in NRC jurisdiction on licenses			
Summary: 20-00320-16MD: All orders for xenon-133 and molybdenum-99 generators to medical facilities will be placed to the Billerica facility and licensure will be verified there. Because of this and because the regional distribution centers are licensed to possess the material under NRC License No. 20-00320-19, we will consider the distribution as being from Billerica. We will, therefore, remove the regional distribution centers from the -16MD license.			
Action Required/Taken: Create amendment to delete regional distribution centers from the -16MD license.			
Signature:  Keith D. Brown		Date: February 5, 1997	
Action Approved: <i>Agree - No need for more than one "16MD" license even after H.A. agreement</i> John D. Kinneman, Chief Nuclear Materials Safety Branch 2		Date: February 5, 1997 <i>2.5.97</i>	

OFFICIAL RECORD COPY

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124216

FEB - 5 1997

BETWEEN:

LICENSE FEE MANAGEMENT BRANCH, ARM
AND
REGIONAL LICENSING SECTIONS

(FOR LFMS USE)
INFORMATION FROM LTS

PROGRAM CODE: 02511
STATUS CODE: 0
FEE CATEGORY: 3D
EXP. DATE: 20050731
FEE COMMENTS: _____
DECOM FIN ASSUR REQD: N

LICENSE FEE TRANSMITTAL

A. REGION I

1. APPLICATION ATTACHED

APPLICANT/LICENSEE: DU PONT MERCK PHARMACEUTICAL CO.
RECEIVED DATE: 970205
DOCKET NO: 3011164
CONTROL NO.: 124216
LICENSE NO.: 20-00320-16MD
ACTION TYPE: AMENDMENT

2. FEE ATTACHED

AMOUNT: _____
CHECK NO.: _____

3. COMMENTS

ADMINISTRATIVE ACTION AS A
RESULT OF MASSACHUSETTS
BECOMING AN AGREEMENT STATE.

SIGNED M. A. Perkins
DATE 2/5/97

B. LICENSE FEE MANAGEMENT BRANCH (CHECK WHEN MILESTONE 03 IS ENTERED 1/1)

1. FEE CATEGORY AND AMOUNT: _____

FEE EXEMPT
MA Agreement State
NRC Administrative Change

2. CORRECT FEE PAID. APPLICATION MAY BE PROCESSED FOR:

AMENDMENT _____
RENEWAL _____
LICENSE _____

3. OTHER _____

SIGNED _____
DATE _____

RECEIVED BY LFDCB	
Date	<u>2/21/97</u>
Loc	<u>Feb 8</u>
By	<u>BR</u>
Date Completed	<u>2/21/97</u>

67 For 2/21/97