



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

February 2, 2005

Docket No. 03031697
Control No. 136329

License No. 37-28520-01

Donald Ashton, CNMT, NCT
Executive Director
The Tomayko Group, L.L.C.
110 Merchant Lane
Pittsburgh, PA 15205

SUBJECT: THE TOMAYKO GROUP, L.L.C., ISSUANCE OF LICENSE AMENDMENT,
CONTROL NO. 136329

Dear Mr. Ashton:

This refers to your license amendment request. Enclosed with this letter is the amended license. The facility at Suite 101, Fairfield St., St. Albans, VT may be released for unrestricted use. Please note that certain conditions of the license were changed/added/deleted in accordance with current NRC policy.

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).

Please note that on October 25, 2004, the NRC suspended public access to ADAMS, and initiated an additional security review of publicly available documents to ensure that potentially sensitive information is removed from the ADAMS database accessible through the NRC's web site. Interested members of the public may obtain copies of the referenced documents for review and/or copying by contacting the NRC Public Document Room pending resumption of public access to ADAMS. The NRC Public Document Room is located at NRC Headquarters in Rockville, MD, and can be contacted at 800-397-4209 or 301-415-4737 or pdr@nrc.gov.

Thank you for your cooperation.

Sincerely,

Original signed by Michelle Beardsley

Michelle Beardsley
Health Physicist
Medical Branch
Division of Nuclear Materials Safety

D. Ashton, CNMT, NCT
The Tomayko Group, L.L.C.

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Enclosure:
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cc:
Mark Perna, M.S., DABR, Radiation Safety Officer

D. Ashton, CNMT, NCT
The Tomayko Group, L.L.C.

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NAME	MBeardsley/MRB							
DATE	2/2/2005							

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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.

<p style="text-align: center;">Licensee</p> <p>1. The Tomayko Group, L.L.C.</p> <p>2. 110 Merchant Lane Pittsburgh, Pennsylvania 15205</p>	<p>In accordance with the letter dated January 24, 2005,</p> <p>3. License number 37-28520-01 is amended in its entirety to read as follows:</p> <hr/> <p>4. Expiration date August 31, 2005</p> <hr/> <p>5. Docket No. 030-31697 Reference No.</p>	
<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Any byproduct material permitted by 10 CFR 35.100</p> <p>B. Any byproduct material permitted by 10 CFR 35.200</p>	<p>7. Chemical and/or physical form</p> <p>A. Any</p> <p>B. Any</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. As needed</p> <p>B. As needed</p>
<p>9. Authorized use:</p> <p>A. Any uptake, dilution and excretion study permitted by 10 CFR 35.100.</p> <p>B. Any imaging and localization study permitted by 10 CFR 35.200.</p>		

CONDITIONS

10. Licensed material may be stored or used only at the licensee's facilities at 110 Merchant Lane, Pittsburgh, PA; 1890 North Juniata Street, Suite 2, Hollidaysburg, Pennsylvania; 3 Mariner Court, Hamarville, Pennsylvania; 2403 Sidney Street, Suite 220B, Pittsburgh, Pennsylvania; 2727 West 21st Street, Suite B, Erie, Pennsylvania; and 260 Crest Road, Cobblestone Building, Suite 206, St. Albans, Vermont, and may be used or stored at temporary job sites of the licensee anywhere in the United States where the U.S. Nuclear Regulatory Commission maintains jurisdiction for regulating the use of licensed material, including areas of exclusive Federal jurisdiction within Agreement States.

If the jurisdiction status of a Federal facility within an Agreement State is unknown, the licensee should contact the Federal agency controlling the job site in question to determine whether the proposed job site is an area of exclusive Federal jurisdiction. Authorization for use of radioactive

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materials at job sites in Agreement States not under exclusive Federal jurisdiction shall be obtained from the appropriate state regulatory agency.

11. The Radiation Safety Officer for this license is Mark Perna, M.S., DABR.

12. Licensed material is only authorized for use by, or under the supervision of:

A. Individuals permitted to work as an authorized user in accordance with 10 CFR 35.13 and 35.14.

B. The following individuals are authorized users for medical use as indicated:

<u>Authorized Users</u>	<u>Material and Use</u>
Charles Crispino, M.D.	35.200
Parminder Sharma, M.D.	35.200
Eugene Danko, M.D.	35.200
Karamaker Shetty, M.D.	35.200
Francis Pessolano, M.D.	35.200
William Thomeier, M.D.	35.100; 35.200
Robert C. Farmer, M.D.	35.100; 35.200
LeRoy Moore, M.D.	35.100; 35.200
John Balacko, M.D.	35.200
Luis F. Gonzalez, III, M.D.	35.100; 35.200
Nancy M. Hickey, M.D.	35.100; 35.200
Lawrence Bucklew, M.D.	35.200
Makum I. Ramesh, M.D.	35.200
Jeffrey Cohen, M.D.	35.200
Daniel Edmundowitz, M.D.	35.200
Aashish Dua, M.D.	35.200
Marshall Carlin, M.D.	35.100; 35.200

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<u>Authorized Users</u>	<u>Material and Use</u>
Georgine Bartriomo-DeMarino, M.D.	35.100; 35.200
Douglas Schulman, M.D.	35.200
Philip Nicol, M.D.	35.200
Chandra R. Polam, M.D.	35.200
Rekha Mankad, M.D.	35.200
Prasad Venkata Rama Paturu, M.D.	35.200
Arshad Mahmood, M.D.	35.200
John Milton Costello, M.D.	35.200
Harshad R. Mehta, M.D.	35.200
Dean E. Wolz, M.D.	35.200
George Antales, M.D.	35.200
Subramania Krishnaswami, M.D.	35.200
David M. Murello, M.D.	35.200
Marvin P. Baker, M.D.	35.200
Juan Chahin, M.D.	35.200
James E. Adisey, M.D.	35.200
Ragoor Kumar Reddy, M.D.	35.200
Dennis A. Eberz, M.D.	35.200
Sherri Chafin, M.D.	35.200
G. David Burtner, M.D.	35.100; 35.200
David C. Rosiello, M.D.	35.100; 35.200
James K. O'Donnell, M.D.	35.100; 35.200
Edward Szabo, M.D.	35.100; 35.200

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13. 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.
14. The licensee may transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
15. 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. This license condition applies only to those procedures that are required to be submitted in accordance with the regulations. Additionally, this license condition does not limit the licensee's ability to make changes to the radiation protection program as provided for in 10 CFR 35.26. 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. Application dated June 1, 1995
 - B. Letter dated August 7, 1995
 - C. Letter dated December 31, 1996
 - D. Letter dated August 4, 1998
 - E. Letter dated September 11, 1998
 - F. Letter dated December 14, 1998
 - G. Letter dated September 17, 1999
 - H. Letter dated January 5, 2000
 - I. Letter dated January 11, 2000
 - J. Letter dated January 19, 2000
 - K. Letter dated February 3, 2000
 - L. Letter dated March 1, 2000
 - M. Letter dated February 1, 2002
 - N. Facsimile dated March 13, 2002
 - O. Letter dated May 29, 2002
 - P. Letter dated January 23, 2003
 - Q. Letter dated March 21, 2003 except Item 2.
 - R. Letter dated May 20, 2004
 - S. Letter dated June 14, 2004
 - T. Letter dated July 12, 2004
 - U. Letter dated September 3, 2004
- For the U.S. Nuclear Regulatory Commission
- Original signed by Michelle Beardsley**
- By _____
- Michelle Beardsley
Medical Branch
Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406
- Date _____
- U. bbbbbb