



# COMMONWEALTH of VIRGINIA

ROBERT B. STROUBE, M.D., M.P.H.  
STATE HEALTH COMMISSIONER

Department of Health  
P O BOX 2448  
RICHMOND, VA 23218

TTY 7-1-1 OR  
1-800-828-1120

April 13, 2005

Licensing Assistance Team  
Division of Nuclear Materials Safety  
U. S. Nuclear Regulatory Commission, Region I  
475 Allendale Road  
King of Prussia, PA 19406-1415

Dear Sir:

We are requesting renewal of our Virginia Radioactive Materials License 45-06137-01.  
Enclosed you will find a completed NRC Form 313 and a copy of our license dated February 17, 2004. The information in this license is accurate and no changes are requested.

If you need any additional information, please contact me at (804)864-8160.

Thank you for your assistance.

Sincerely,

James A. deKrafft  
Assistant Director  
Radiological Health Program

RECEIVED  
REGION I

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X

**NRC FORM 313**  
(4-2004)  
10 CFR 30, 32, 33,  
34, 35, 36, 39, and 40

**U.S. NUCLEAR REGULATORY COMMISSION**

**APPROVED BY OMB: NO. 3150-0120**

**EXPIRES: 10/31/2008**

Estimated burden per response to comply with this mandatory collection request: 7 hours. Submittal of the application is necessary to determine that the applicant is qualified and that adequate procedures exist to protect the public health and safety. Send comments regarding burden estimate to the Records and FOIA/Privacy Services Branch (T-5 F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by internet e-mail to infocollects@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0120), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

### APPLICATION FOR MATERIAL LICENSE

**INSTRUCTIONS: SEE THE APPROPRIATE LICENSE APPLICATION GUIDE FOR DETAILED INSTRUCTIONS FOR COMPLETING APPLICATION. SEND TWO COPIES OF THE ENTIRE COMPLETED APPLICATION TO THE NRC OFFICE SPECIFIED BELOW.**

**APPLICATION FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH:**

DIVISION OF INDUSTRIAL AND MEDICAL NUCLEAR SAFETY  
OFFICE OF NUCLEAR MATERIALS SAFETY AND SAFEGUARDS  
U.S. NUCLEAR REGULATORY COMMISSION  
WASHINGTON, DC 20555-0001

**ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS:**

**IF YOU ARE LOCATED IN:**

ALABAMA, CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, FLORIDA, GEORGIA, KENTUCKY, MAINE, MARYLAND, MASSACHUSETTS, MISSISSIPPI, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, NORTH CAROLINA, PENNSYLVANIA, PUERTO RICO, RHODE ISLAND, SOUTH CAROLINA, TENNESSEE, VERMONT, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA, SEND APPLICATIONS TO:

LICENSING ASSISTANCE TEAM  
DIVISION OF NUCLEAR MATERIALS SAFETY  
U.S. NUCLEAR REGULATORY COMMISSION, REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PA 19406-1415

**IF YOU ARE LOCATED IN:**

ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, SEND APPLICATIONS TO:

MATERIALS LICENSING BRANCH  
U.S. NUCLEAR REGULATORY COMMISSION, REGION III  
2443 WARRENVILLE ROAD, SUITE 210  
LISLE, IL 60532-4352

ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, HAWAII, IDAHO, KANSAS, LOUISIANA, MONTANA, NEBRASKA, NEVADA, NEW MEXICO, NORTH DAKOTA, OKLAHOMA, OREGON, PACIFIC TRUST TERRITORIES, SOUTH DAKOTA, TEXAS, UTAH, WASHINGTON, OR WYOMING, SEND APPLICATIONS TO:

NUCLEAR MATERIALS LICENSING BRANCH  
U.S. NUCLEAR REGULATORY COMMISSION, REGION IV  
611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TX 76011-4005

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**PERSONS LOCATED IN AGREEMENT STATES SEND APPLICATIONS TO THE U.S. NUCLEAR REGULATORY COMMISSION ONLY IF THEY WISH TO POSSESS AND USE LICENSED MATERIAL IN STATES SUBJECT TO U.S. NUCLEAR REGULATORY COMMISSION JURISDICTIONS.**

1. THIS IS AN APPLICATION FOR (Check appropriate item)

- A. NEW LICENSE  
 B. AMENDMENT TO LICENSE NUMBER  
 C. RENEWAL OF LICENSE NUMBER 45-06137-01

2. NAME AND MAILING ADDRESS OF APPLICANT (Include ZIP code)

Commonwealth of Virginia  
Department of Health  
109 Governor Street  
Room 730  
Richmond, Virginia 23219

3. ADDRESS WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED

same as (2) above

4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

James deKrafft

TELEPHONE NUMBER

(804) 864-8160

SUBMIT ITEMS 5 THROUGH 11 ON 8-1/2 X 11" PAPER. THE TYPE AND SCOPE OF INFORMATION TO BE PROVIDED IS DESCRIBED IN THE LICENSE APPLICATION GUIDE.

5. RADIOACTIVE MATERIAL

a. Element and mass number; b. chemical and/or physical form; and c. maximum amount which will be possessed at any one time.

6. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED.

7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING EXPERIENCE.

8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS.

9. FACILITIES AND EQUIPMENT.

10. RADIATION SAFETY PROGRAM.

11. WASTE MANAGEMENT.

12. LICENSE FEES (See 10 CFR 170 and Section 170.31)

FEE CATEGORY AMOUNT ENCLOSED \$

13. CERTIFICATION. (Must be completed by applicant) THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BINDING UPON THE APPLICANT.

THE APPLICANT AND ANY OFFICIAL EXECUTING THIS CERTIFICATION ON BEHALF OF THE APPLICANT, NAMED IN ITEM 2, CERTIFY THAT THIS APPLICATION IS PREPARED IN CONFORMITY WITH TITLE 10, CODE OF FEDERAL REGULATIONS, PARTS 30, 32, 33, 34, 35, 36, 39, AND 40, AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF.

WARNING: 18 U.S.C. SECTION 1001 ACT OF JUNE 25, 1948 62 STAT. 749 MAKES IT A CRIMINAL OFFENSE TO MAKE A WILLFULLY FALSE STATEMENT OR REPRESENTATION TO ANY DEPARTMENT OR AGENCY OF THE UNITED STATES AS TO ANY MATTER WITHIN ITS JURISDICTION.

CERTIFYING OFFICER - TYPED/PRINTED NAME AND TITLE

Leslie Foldesi, Director Radiological Health Program

SIGNATURE

*Leslie P. Foldesi*

DATE

4/13/05

#### FOR NRC USE ONLY

TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
			\$		
APPROVED BY				DATE	

**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. Commonwealth of Virginia <b>Department of Health</b></p> <p>2. 109 Governor Street Room 730 Richmond, Virginia 23219</p>	<p>In accordance with letter dated <b>November 26, 2003</b></p> <p>3. License No. 45-06137-01</p> <p>is amended in its entirety to read as follows:</p> <p>4. Expiration Date: <b>June 30, 2005 (extended)</b></p> <p>5. Docket No. 080-07437</p>
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<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Any byproduct material</p> <p>B. Cesium 137</p> <p>C. Cobalt 60</p> <p>D. Americium 241</p> <p>E. Polonium 210</p> <p>F. Any byproduct material</p> <p>G. Any byproduct material</p> <p>H. Krypton 85</p>	<p>7. Chemical and/or physical form</p> <p>A. Any</p> <p>B. Sealed source, New England Nuclear 570 or 570A</p> <p>C. Sealed source (Tracerlab R-31)</p> <p>D. Standard source</p> <p>E. Standard source</p> <p>F. Any</p> <p>G. Any</p> <p>H. Sealed source in lucite rod</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. Not to exceed 74 megabecquerels (MBq) (2 millicuries (mCi)) per source or sample and 370 MBq (10 mCi) total</p> <p>B. Not to exceed 3.7 gigabecquerels (GBq) (100 mCi) per source</p> <p>C. Not to exceed 370 MBq (10 mCi) per source</p> <p>D. 37 kilobecquerels (kBq) [1 microcurie (uCi)]</p> <p>E. 37 kBq (1 uCi)</p> <p>F. 37 MBq (1 mCi) total</p> <p>G. See Item 9.G.</p> <p>H. 185 MBq (5 mCi) total</p>
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MAR 15 2004  
RADIOLOGICAL HEALTH

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**

License No.  
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030-07437

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9. Authorized Use:

- A. For possession incident to the collection and analysis of samples including environmental samples and leak test wipes or samples.
- B. - F. For instrument calibration.
- G. For temporary possession and storage only of licensed material which has been received and/or confiscated in the interest of public health and safety. (see License Condition No. 17)
- H. For use in operational testing and calibrating radiation detection equipment.

CONDITIONS

- 10. Licensed material may be used or stored at 109 Governor Street, Richmond, Virginia, and may be used at temporary job sites anywhere in the Commonwealth of Virginia.
- 11. The Radiation Safety Officer (RSO) for this license is James A. deKrafft.
- 12. Licensed material shall be used by, or under the supervision of, James A. deKrafft, Leslie Foldesi, Ryan Paris, or Stan Orchel.
- 13. Sealed sources containing licensed material shall not be opened or removed from their respective source housings by the licensee.
- 14. A. Sealed sources and detector cells shall be tested for leakage and/or contamination at intervals not to exceed six 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 three months.
- C. In the absence of a certificate from a transferor indicating that a leak test has been made within six months prior to the transfer, a sealed source or detector cell received from another person shall not be put into use until tested.

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14. D. Sealed sources need not be leak tested if:

- 1) they contain only hydrogen-3; or
- 2) they contain only a radioactive gas; or
- 3) the half-life of the isotope is 30 days or less; or
- 4) they contain not more than 3.7 megabecquerels (MBq) [100 microcuries (uCi)] of beta and/or gamma emitting material or not more than 0.37 MBq (10 uCi) of alpha emitting material; or
- 5) 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 185 becquerels (Bq) (0.005 uCi) of radioactive material on the test sample. If the test reveals the presence of 185 Bq (0.005 uCi) or more of removable contamination, a report shall be filed with the U. S. Nuclear Regulatory Commission in accordance with 10 CFR 30.50(c)(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 five days of the date the leak test result is known with the **appropriate U. S. Nuclear Regulatory Commission, Regional Office referenced in Appendix D of 10 CFR Part 20.** The report shall specify the source involved, the test results, and corrective action taken.

F. Tests for leakage and/or contamination shall be performed by the licensee or by other persons specifically licensed by the U. S. Nuclear Regulatory Commission or an Agreement State to perform such services.

15. The licensee is authorized to transport licensed material only in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
16. The licensee shall conduct a physical inventory every six months to account for all sources and/or devices received and possessed under the license.
17. The licensee shall notify the U. S. Nuclear Regulatory Commission before, if practicable, and in any case, immediately after, taking any emergency action to decontaminate facilities or equipment; or to confiscate, possess, or receive any quantity of licensed material for the purpose of safeguarding the material and/or the health and safety of the public. The licensee shall:
  - A. Report by telephone to the NRC Operations Center in accordance with 10 CFR 30.50(c) immediately after it becomes known to the licensee that, due to the presence of licensed material in such quantities and circumstance, that a substantial hazard may exist to persons in unrestricted areas;

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17. B. Describe the proposed actions to be taken to take possession of the licensed material and to alleviate the substantial hazard; and
- C. Provide the names of licensee personnel involved in the actions and their telephone numbers where they may be contacted.
18. 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.
19. 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. Applications dated:
- 1) February 22, 1979
- B. Letters dated:
- 1) August 10, 1994 [license renewal]
  - 2) May 25, 1995 [supplemental information about personnel dosimetry]
  - 3) November 26, 2003 [change/delete locations of use; add/delete users]
  - 4) February 5, 2004 [fax re: add'l info to support removal of locations and new users' training (R. Paris & S. Orchel)]

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

DATE February 17, 2004

BY /RA/

Bryan A. Parker  
Nuclear Materials Safety Branch 3  
Division of Nuclear Materials Safety  
Region I  
King of Prussia, Pennsylvania 19406-1415

This is to acknowledge the receipt of your letter/application dated

4/12/2005, and to inform you that the initial processing which includes an administrative review has been performed.

RENEW 45-06137-01  
There were no administrative omissions. Your application was assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information.

Please provide to this office within 30 days of your receipt of this card

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A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned Mail Control Number 136896.  
When calling to inquire about this action, please refer to this control number.  
You may call us on (610) 337-5398, or 337-5260.

(FOR LFMS USE)  
INFORMATION FROM LTS

BETWEEN:  
  
License Fee Management Branch, ARM  
and  
Regional Licensing Sections

: Program Code: 03222  
: Status Code: 2  
: Fee Category: 3P  
: Exp. Date: 20050630  
: Fee Comments: \_\_\_\_\_  
: Decom Fin Assur Reqd: N  
:.....

LICENSE FEE TRANSMITTAL

A. REGION I

1. APPLICATION ATTACHED  
Applicant/Licensee: VIRGINIA, COMMONWEALTH OF  
Received Date: 20050415  
Docket No: 3007437  
Control No.: 136896  
License No.: 45-06137-01  
Action Type: Renewal

2. FEE ATTACHED  
Amount: \_\_\_\_\_  
Check No.: /

3. COMMENTS  
  
Signed M. A. Parkin  
Date 7/28/05

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered /\_/)

1. Fee Category and Amount: \_\_\_\_\_  
2. Correct Fee Paid. Application may be processed for:  
Amendment \_\_\_\_\_  
Renewal \_\_\_\_\_  
License \_\_\_\_\_  
3. OTHER \_\_\_\_\_

Signed \_\_\_\_\_  
Date \_\_\_\_\_