



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

June 21, 2005

Docket No. 04005828
Control No. 136935

License No. SUD-311

COL Raymond J. Winkel, Jr.
Head of the Department of Physics
Department of the Army
United States Military Academy
Department of Physics
West Point, NY 10996-1790

SUBJECT: DEPARTMENT OF THE ARMY, LICENSE AMENDMENT, CONTROL NO.
136935

Dear COL Winkel:

This refers to your license amendment request. 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) 337-5239, 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).

Current NRC regulations and guidance are available at the NRC web site at <http://www.nrc.gov/materials/miau/mat-toolkits.html> and <http://www.nrc.gov/who-we-are/governing-laws.html> or by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 9:00 p.m. EST, Monday through Friday (except Federal holidays).

Thank you for your cooperation.

Sincerely,

Original signed by Elizabeth Ullrich

Betsy Ullrich
Senior Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety

Enclosure:
Amendment No. 21

R. Winkel
Department of the Army

2

cc:
COL Brian E. Moretti, Ph.D., Radiation Safety Officer

DOCUMENT NAME: E:\Filenet\ML051750190.wpd

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OFFICE	DNMS/RI	N	DNMS/RI	N	DNMS/RI			
NAME	DLawyer /DRL1/		EUllrich /BU/					
DATE	06/21/2005		06/21/2005					

OFFICIAL RECORD COPY

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. Department of the Army United States Military Academy Department of Physics</p> <p>2. West Point, New York 10996-1790</p>	<p>In accordance with the application dated April 15, 2005,</p> <p>3. License number SUD-311 is amended in its entirety to read as follows:</p> <hr/> <p>4. Expiration date November 30, 2011</p> <hr/> <p>5. Docket No. 040-05828 Reference No.</p>
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<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Uranium</p>	<p>7. Chemical and/or physical form</p> <p>A. Natural uranium in the form of cylindrical canned aluminum slugs</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. 2,500 kilograms</p>
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9. Authorized use:

A. To be used in a light water moderated subcritical assembly.

CONDITIONS

10. Licensed material may be used only at the licensee's facilities located at the U.S. Military Academy, Bartlett Hall, West Point, New York.
11. A. Licensed material shall be used by, or under the supervision of COL Brian E. Moretti, Ph.D., LTC Jeffery Musk, Ph.D., LTC Edward P. Naessens, Ph.D., MAJ Michael F. Traver, MAJ Keith Sturgess, or MAJ Robert Dean Prins.
- B. The Radiation Safety Officer for this license is COL Brian E. Moretti, Ph.D.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number
SUD-311

Docket or Reference Number
040-05828

Amendment No.21

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 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 15, 2001 (ML011860164)



For the U.S. Nuclear Regulatory Commission

Date June 21, 2005
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By **Original signed by Elizabeth Ullrich**

Elizabeth Ullrich
Commercial and R&D Branch
Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406