



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

January 9, 2006

Docket No. 03014925
Control No. 138105

License No. 29-18363-01

Veronica Smyth
Radiation Safety Officer
Sims Hugo Neu East
One Jersey Avenue
Jersey City, NJ 07302

SUBJECT: SIMS HUGO NEU EAST, LICENSE AMENDMENT, CONTROL NO. 138105

Dear Ms. Smyth:

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 included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, Industrial, and Academic Uses of Nuclear Material**; then **Toolkit Index Page**. Or you may obtain these documents 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

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

Enclosure:
Amendment No. 7

DOCUMENT NAME: E:\Filenet\ML060110188.wpd

SISP Review Complete: EUllrich

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OFFICE	DNMS/RI	N	DNMS/RI	N	DNMS/RI			
NAME	SHammann/STH		EUllrich/BU					
DATE	1/9/06		1/9/06					

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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. Sims Hugo Neu East</p> <p>2. One Jersey Avenue Jersey City, New Jersey 07302</p>	<p>In accordance with the letter dated December 12, 2005,</p> <p>3. License No. 29-18363-01</p> <p>is amended in its entirety to read as follows:</p> <hr/> <p>4. Expiration Date: March 31, 2015</p> <hr/> <p>5. Docket No. 030-14925</p>
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<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Cadmium 109</p> <p>B. Americium 241</p>	<p>7. Chemical and/or physical form</p> <p>A. Sealed source (AEA Technology Models CUC.D1 and CUCP.1; Isotope Products Model XFB Series 3204 and 3205; North American Scientific Models IND 1600 and 1602; New England Nuclear Models NER-465 and NER-467)</p> <p>B. Sealed source (AEA Technology Models AMCL AMC64, AMC65 and AMC.P4; Isotope Products Model GFS; New England Nuclear Model NER-478C)</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. No single source to exceed the maximum activity specified in the certificate of registration issued by the U. S. Nuclear Regulatory Commission or an Agreement State</p> <p>B. No single source to exceed the maximum activity specified in the certificate of registration issued by the U. S. Nuclear Regulatory Commission or an Agreement State</p>
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9. Authorized use:
- A. and B. For use in John Harrison (formerly Kevex) Model 0202 and NITON Corporation Model NITON XL Series x-ray fluorescence analyzers.

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CONDITIONS

10. Licensed material may be used or stored only at the licensee's facilities located at One Jersey Avenue, Jersey City, New Jersey.
11. The Radiation Safety Officer (RSO) for this license is Veronica Smyth
12. Licensed material shall be used by, or under the supervision and in the physical presence of, individuals who have received the training described in the application dated February 7, 2005.
13. Sealed sources or detector cells containing licensed material shall not be opened or sources removed from source holders by the licensee.
14.
 - A. Sealed sources shall be tested for leakage and/or contamination at intervals not to exceed the intervals specified in the certificate of registration issued by the U. S. Nuclear Regulatory Commission under 10 CFR 32.210 or under equivalent regulations of an Agreement State.
 - B. In the absence of a certificate from a transferor indicating that a leak test has been made within the intervals specified in the certificate of registration issued by the U. S. Nuclear Regulatory Commission under 10 CFR 32.210 or under equivalent regulations of an Agreement State, prior to the transfer, a sealed source received from another person shall not be put into use until tested and the test results received.
 - C. Sealed sources need not be tested if they contain only hydrogen-3; or they contain only a radioactive gas; or the half-life of the isotope is 30 days or less; or they contain not more than 100 microcuries of beta- and/or gamma-emitting material or not more than 10 microcuries of alpha-emitting material.
 - D. Sealed sources need not be tested if they 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 shall be stored for a period of more than 10 years without being tested for leakage and/or contamination.

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- E. The leak test shall be capable of detecting the presence of 0.005 microcurie (185 becquerels) of radioactive material on the test sample. If the test reveals the presence of 0.005 microcurie (185 becquerels) 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.
- F. Tests for leakage and/or contamination, limited to leak test sample collection, 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. The licensee is not authorized to perform the analysis; analysis of leak test samples must be performed by persons specifically licensed by U. S. Nuclear Regulatory Commission or an Agreement State to perform such services.
- G. Records of leak test results shall be kept in units of microcuries and shall be maintained for five years.
15. The licensee shall conduct a physical inventory every six months to account for all sealed sources and devices containing licensed material received and possessed under the license.
16. The licensee shall not acquire licensed material in a sealed source or device unless the source or device has been registered with the U. S. Nuclear Regulatory Commission pursuant to 10 CFR 32.210 or equivalent regulations of an Agreement State.
17. Each portable nuclear gauge shall have a lock or outer locked container designed to prevent unauthorized or accidental removal of the sealed source from its shielded position. The gauge or its container must be locked when in transport or storage, or when not under the direct surveillance of an authorized user.
18. Any cleaning, maintenance, or repair of the gauges that requires detaching the source from the gauge shall be performed only by the manufacturer or by other persons specifically licensed by the U.S. Nuclear Regulatory Commission or an Agreement State to perform such services.
19. The licensee is authorized to transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."

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20. 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 received September 20, 2004 (ML042660538)
- B. Application dated February 7, 2005(ML050680167)
- C. Letter dated February 15, 2005 (ML050680171)



For the U. S. Nuclear Regulatory Commission

Date January 9, 2006 2006
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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