



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

R15

March 7, 2005

Docket No. 03003297
Control No. 136096

License No. 45-00048-17

Brian J. Ohlinger, P.E.
Associate Vice President for Facilities Management
Virginia Commonwealth University
Office of Environmental Health & Safety
P.O. Box 980112
Richmond, VA 23298-0112

**SUBJECT: VIRGINIA COMMONWEALTH UNIVERSITY, ISSUANCE OF LICENSE
AMENDMENT, CONTROL NO. 136096**

Dear Mr. Ohlinger:

This refers to your license amendment request. Enclosed with this letter is the amended license. As discussed with Ms. Taormina on March 7, 2005, we understand the following:

1. The 8000 curies of cobalt-60 is in the form of sealed sources.
2. Strontium-90 does not need to be added as a line item since it is covered in Item 6.C.
3. The americium-241 sealed sources currently possessed were as listed in License Amendment 62.
4. Sources covered by 10 CFR 35.65 do not need to be added to your specific license.
5. You never possessed either Iodine-129 or Strontium-90 sealed sources of 100 curies.

Please advise us in writing if our understanding is incorrect.

In addition, please note, that License Condition 29 has been revised to delete unnecessary letters tied to your license, where the requested action in the letter was incorporated into the license.

In accordance with NRC Regulatory Issue Summary (RIS) 2004-17: Revised Decay-In-Storage Provisions for the Storage of Radioactive Waste Containing Byproduct Material, your license has been modified. Your license now contains a revised decay-in-storage (DIS) condition. This revised condition permits greater flexibility for DIS of waste by eliminating a specific holding period prior to disposal. Please review the RIS 2004-17, and the revised condition carefully to ensure that you understand its requirements.

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.

G/41

B. Ohlinger
Virginia Commonwealth University

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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 Penny Lanzisera

Penny Lanzisera
Senior Health Physicist
Medical Branch
Division of Nuclear Materials Safety

Enclosure:
Amendment No. 63

NRC Web site addresses
NRC regulations

<http://www.nrc.gov/reading-rm/doc-collections/cfr/>

Licensing guidance

<http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/>

General Policy and Procedure for NRC Enforcement Actions

[Http://www.nrc.gov/what-we-do/regulatory/enforcement/enforc-pol.pdf](http://www.nrc.gov/what-we-do/regulatory/enforcement/enforc-pol.pdf)

206 of the Energy Reorganization Act of 1974

<http://www.nrc.gov/who-we-are/governing-laws.html>

cc:

Dean W. Broga, Ph.D., Radiation Safety Officer

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NAME:	PLanzisera/PAN						
DATE	3/7/2005						

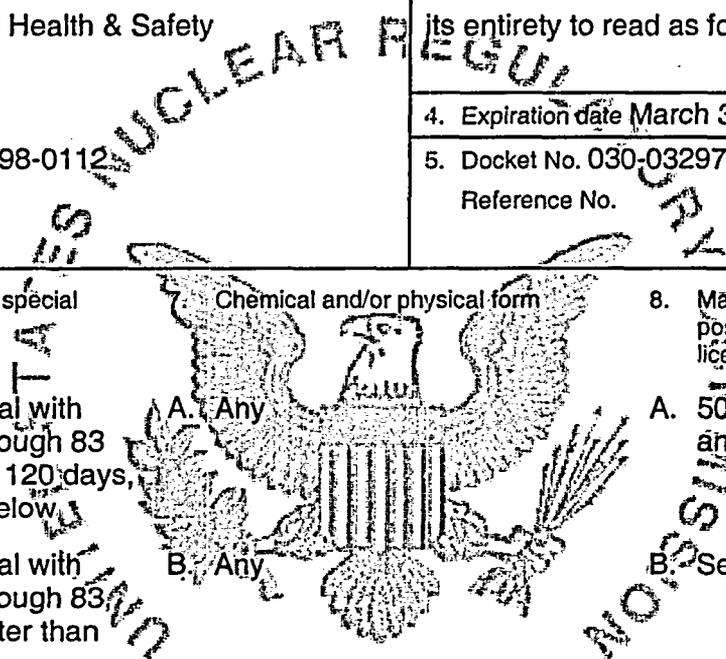
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MATERIALS LICENSE

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. Virginia Commonwealth University Office of Environmental Health & Safety</p> <p>2. P.O. Box 980112 Richmond, Virginia 23298-0112</p>	<p>In accordance with the letter dated December 6, 2004,</p> <p>3. License number 45-00048-17 is amended in its entirety to read as follows:</p> <hr/> <p>4. Expiration date March 31, 2010</p> <hr/> <p>5. Docket No. 030-03297 Reference No.</p>
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6. Byproduct, source, and/or special nuclear material	Chemical and/or physical form	8. Maximum amount that licensee may possess at any one time under this license
A. Any byproduct material with atomic numbers 3 through 83 and half life less than 120 days, except as specified below.	A. Any	A. 500 millicuries per radionuclide and 100 curies total
B. Any byproduct material with atomic numbers 1 through 83 with a half life of greater than 120 days	B. Any	B. See Condition 12
C. Any byproduct material with atomic numbers 3 through 83, except as specified below	C. Sealed Sources	C. 1 curie per source and 100 curies total
D. Phosphorus 32	D. Any	D. 1.5 curies
E. Sulfur 35	E. Any	E. 1 curie
F. Molybdenum 99	F. Any	F. 12 curies
G. Technetium 99m	G. Any	G. 6 curies
H. Iodine 125	H. Any	H. 1 curie
I. Iodine 131	I. Any	I. 5 curies
J. Holmium 166	J. Any	J. 3 curies
K. Americium 241	K. Any	K. 10 microcuries



**MATERIALS LICENSE
SUPPLEMENTARY SHEET**License Number
45-00048-17Docket or Reference Number
030-03297

Amendment No. 63

21. The licensee is authorized to hold byproduct material with a physical half-life of less than or equal to 120 days for decay-in-storage before disposal without regard to its radioactivity if the licensee:
- Monitors byproduct material at the surface before disposal and determines that its radioactivity cannot be distinguished from the background radiation level with an appropriate radiation detection survey meter set on its most sensitive scale and with no interposed shielding; and
 - Removes or obliterates all radiation labels, except for radiation labels on materials that are within containers and that will be managed as biomedical waste after they have been released from the licensee; and
 - Maintains records of the disposal of licensed materials for 3 years. The record must include the date of disposal, the survey instrument used, the background radiation level, the radiation level measured at the surface of each waste container, and the name of the individual who performed the disposal.
22. A. Pursuant to 10 CFR 20.1302(c) and 10 CFR 20.2002, the licensee is authorized to dispose of licensed material by incineration, provided the gaseous effluent from incineration does not exceed the limits specified for air in Appendix B, Table II, 10 CFR Part 20. Ash residues may be disposed of as ordinary waste provided appropriate surveys are made to determine that concentrations of licensed material appearing in ash residues do not exceed the concentrations (in terms of microcuries per gram) specified for water in Table II-10 CFR Part 20, Appendix B.
- B. VCU shall notify the Chairman of the Board of Supervisors of Hanover County of any future changes in the licensee's incineration activities in Hanover County and of any related amendment or renewal of this license.
23. The licensee shall not repair, remove, replace, or alter any of the following: electrical and mechanical systems that control source or shielding movement, the irradiator's shielding or sealed source, safety interlocks, or any component that may affect safe operation of the irradiator. These activities shall be performed by a person specifically licensed by the U.S. Nuclear Regulatory Commission or an Agreement State to perform such services.
24. For each J. L. Shepherd and Associates, Mark I or Model 81-22, cesium-137 irradiator installed and used, the licensee shall:
- Permit the use of the irradiator only when a calibrated and operable radiation survey meter or room monitor is available; and
 - Permit the irradiator door to be opened only after the operator has checked visual indicators to verify that the source has returned to its safe storage position; and