UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
2443 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4352

APR 1 2 2006

Richard T. Hurley, DA
University of Saint Francis
Achatz Hall of Science
2701 Spring Street
Fort Wayne, IN 46808

Dear Dr. Hurley:

This is a corrected copy of the letter sent April 12, 2006, with your new license. The license is correct but the original transmittal letter sent contained incorrect state identifying numbers in its references to your new license. The numbers shown on the incorrect version of the letter were "21" and the correct numbers, shown in bold font in this letter, are "13." I apologize for this error and for any inconvenience this may have caused you.

Enclosed is your NRC Material License No. **13**-32541-01 in accordance with your request. Your license has been issued for a ten year term and will not expire until October 31, 2015.

Please be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region III office at (630) 829-9887 so that we can provide appropriate corrections and answers. If you have further questions concerning your new license please contact me at (630) 829-9841 or (800) 522-3025, ext. 9841.

A. Please note the following when reviewing your new license:

1. No information naming or supporting previously proposed authorized users Sister M. Carol Meyers, D.A. or Warren Pryor, M.S. was submitted in the application dated January 16, 2006. Therefore, neither has been approved as an authorized user.

2. I did not list the sealed cesium-137 scintillation counting source on your new specific license because it is a generally licensable material (administered through the vendor/manufacturer/distributor of the scintillation counter and their specific license). I also excluded sealed sources from your authorization on this license because it did not appear to be appropriate to include them, based upon your revised request for licensed materials.

3. **Your application dated January 16, 2006, did not appear to address some of the information I requested in item 6 of my letter to you dated February 4, 2005. Please provide a written response within 30 days of the date of this letter, in order to complete your new license. Please reference your letter as "additional information to control number 315149" and address it to my attention. I will then complete my review and amend your license at that time.**

   Regarding your proposed training program for individuals working in or frequenting restricted areas, please enhance your training program to more closely align with the topics in Appendix J, NUREG 1556, Vol. 7. It appears that such topics as emergency procedures, NRC regulations, survey requirements, personnel monitoring requirements special lab rules, plexiglas shielding and finger badges for handling phosphorus-32, etc. were not

addressed in your application dated September 21, 2004.

Please confirm that your training program will include all of the topics in Appendix J, NUREG 1556, Vol. 7, including emergency procedures, NRC regulations, survey requirements, personnel monitoring requirements special lab rules, plexiglas shielding and finger badges for handling phosphorus-32, etc.

B. Please be advised that your license expires at the end of the day, in the month, and year stated in the license. Unless your license has been terminated, you must conduct your program involving byproduct materials in accordance with the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate in accordance with NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers; Inspections," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.

2. Notify NRC, in writing, within 30 days:

   a. When the Radiation Safety Officer permanently discontinues performance of duties under the license or has a name change; or

   b. When the mailing address listed on the license changes.

3. In accordance with 10 CFR 30.36(b) and/or license condition, notify NRC, promptly, in writing, and request termination of the license when a decision is made to terminate all activities involving materials authorized under the license.

4. Request and obtain a license amendment before you:

   a. Change Radiation Safety Officers;

   b. Order byproduct material in excess of the amount, or radionuclide, or form different than authorized on the license;

   c. Add or change the address or addresses of use identified in the license application or on the license; or,

   d. Change ownership of your organization.

5. Submit a complete renewal application or termination request at least 30 days before the expiration date of your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of byproduct material after your license expires is a violation of NRC regulations. A license will not normally be renewed, except on a case-by-case basis, in instances where licensed material has never been possessed or used.

In addition, please note that NRC Form 313 requires the applicant, by his/her signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of the applicant's knowledge.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). The NRC's document system is accessible from the NRC Web site at http://www.nrc.gov/reading-rm/adams.html. The enclosed license document is exempt from public disclosure in accordance with 10 CFR 2.390, because its disclosure to unauthorized individuals could present a security vulnerability. You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you. This could include issuance of a notice of violation, or imposition of a civil penalty, or an order suspending, modifying or revoking your license as specified in the General Statement of Policy and Procedure for NRC Enforcement Actions. Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken when dealing with licensees who do not achieve the necessary meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

Sincerely,

Colleen Carol Casey

Colleen Carol Casey
Materials Licensing Branch

License No. **13**-32541-01
Docket No. 030-37128

Enclosures:

None required, replaces original letter only