



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV  
611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-4005

May 22, 2006

U.S. Environmental Protection Agency  
Radiation & Indoor Environment  
National Laboratory  
ATTN: Jed Harrison, Director  
P.O. Box 98517  
Las Vegas, Nevada 89193-8517

SUBJECT: LICENSE AMENDMENT

Please find enclosed Amendment No. 37 to License No. 27-05861-02, **authorizing the removal of Subitems K., Williston Elin TLD irradiator, from your license. The authorization of use for this irradiator was at a temporary jobsite only; therefore, there was no request for release of a facility associated with this action. As a result of this action, your license has reduced possession limits. Your possession limits are such that the quantities are below the International Atomic Energy Agency's Category 2 amounts for radioactive material, which would have otherwise initiated NRC's increased control requirements. Please remember that you have to notify the NRC if you ever intend to possess quantities of radioactive materials requiring increased controls and that such controls will have to be implemented prior to authorizing the increased possession amounts on your license.**

An environmental assessment for this action is not required, since this action is categorically excluded under 10 CFR 51.22(c)(14)(v). You should review this license carefully and be sure that you understand all conditions. If you have any questions, please contact me at (817) 276-6552.

NRC expects licensees to conduct their programs with meticulous attention to detail and a high standard of compliance. Because of the serious consequences to employees and the public that can result from failure to comply with NRC requirements, you must conduct your radiation safety program according to the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate by NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers: Inspection and Investigations," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Notify NRC in writing of any change in mailing address.
3. By 10 CFR 30.36(d) and/or license condition, notify NRC, promptly, in writing, and request termination of the license:
  - a. When you decide to terminate all activities involving materials authorized under the license whether at the entire site or any separate building or outdoor area; or

- b. If you decide not to acquire or possess and use authorized material; or
  - c. When no principal activities under the license have been conducted for a period of 24 months
4. Request and obtain a license amendment before you:
- a. Change Radiation Safety Officers;
  - b. Order byproduct material more than the amount or form authorized on the license;
  - c. Add or change the areas or address(es) of use identified in the license application or on the license; or
  - d. Change the name or ownership of your organization.
5. Submit a complete renewal application or termination request at least 30 days before the expiration date on your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of radioactive material after your license expires is a violation of NRC regulations.

In addition, please note that NRC Form 313 requires the applicant, by 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. The signatory for the application should be the licensee or certifying official rather than a consultant. Since the NRC also accepts a letter requesting amendment of an NRC license, the signatory for such a request should also be the licensee or certifying official rather than a consultant.

NRC will periodically inspect your radiation safety program. Failure to conduct your program according to NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC may result in enforcement action against you. This could include issuance of a notice of violation; imposition of a civil penalty; or an order suspending, modifying, or revoking your license as specified in the Enforcement Policy. The NRC Enforcement Policy is available on the following internet address:  
<http://www.nrc.gov/what-we-do/regulatory/enforcement/enforc-pol.pdf>.

The NRC no longer publishes the NRC Rules and Regulations loose leaf supplements due to budget constraints. However, an electronic version of the NRC's regulations is available on the NRC Web site at: <http://www.nrc.gov/reading-rm/doc-collections/cfr/>. Additionally, NUREG-1556 program-specific guidance for materials licenses is available on the NRC Web site at: <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/>.

NRC's Regulatory Issue Summary (RIS) 2005-31, provides criteria to identify security-related sensitive information and guidance for handling and marking of such documents. This ensures that potentially sensitive information is not made publicly available through ADAMS. The RIS may be located on the NRC Web site at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2005/> and the link for frequently asked questions may be located at: <http://www.nrc.gov/reading-rm/sensitive-info/faq.html>. Pursuant to NRC's RIS 2005-31, the enclosed materials license will not be made publicly available.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Thank you for your cooperation.

Sincerely,

**/RA/**

Rachel S. Browder, Health Physicist  
Nuclear Materials Licensing Branch

Docket: 030-06981  
License: 27-05861-02  
Control: 470928

Enclosure: As stated