

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

September 28, 2006

Docket No. 03032988 Control No. 139429 License No. 07-28762-02G

Keith Morgan LFS/LSCA Environmental, Health, and Safety Manager Agilent Technologies, Inc. 2850 Centerville Road Wilmington, DE 19808

SUBJECT: AGILENT TECHNOLOGIES, INC., LICENSE AMENDMENT, CONTROL NO. 139429

Dear Mr. Morgan:

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 <u>www.nrc.gov;</u> select **Nuclear Materials; Medical, Academic, and Industrial 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 8:00 p.m. EST, Monday through Friday (except Federal holidays).

Thank you for your cooperation.

Sincerely,

Original signed by James P. Dwyer

James P. Dwyer, Chief Commercial and R&D Branch Division of Nuclear Materials Safety

Enclosure: Amendment No. 7

cc: David Bennett, Radiation Safety Officer K. Morgan Agilent Technologies, Inc.

DOCUMENT NAME: G:\Docs\Mailed\Lic Cvr Letter\I07-28762-02.139429.09282006.wpd

SUNSI Review Complete: STH After declaring this document "An Official Agency Record" it <u>will</u> be released to the Public.

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| OFFICE | DNMS/RI | Ν | DNMS/RI | Ν | DNMS/RI | | |
|--------|--------------|---|------------|---|---------|--|--|
| NAME | SHammann/STH | | JDwyer/JPD | | | | |
| DATE | 9/28/2006 | | 9/28/2006 | | | | |

OFFICIAL RECORD COPY

| NRC FORM 374 | PAGE <u>1</u> OF <u>2</u> PAGES Amendment No. 7 | | | | | | | | |
|---|--|-------------------------|--|--|--|--|--|--|--|
| MATERIALSLICENSE | | | | | | | | | |
| 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. | | | | | | | | | |
| License | ee | In accordance with th | In accordance with the letter dated | | | | | | |
| | | September 19, 2006, | | | | | | | |
| 1. Agilent Technologies, Inc. | | 3. License number 07-2 | 8762-02G is amended in | | | | | | |
| | EAR | its entirety to read as | its entirety to read as follows: | | | | | | |
| 2. 2850 Centerville Road | Cr | 4. Expiration date Nove | 4. Expiration date November 30, 2012 | | | | | | |
| Wilmington, Delaware 1980 | 08 | 5. Docket No. 030-329 | 5. Docket No. 030-32988 | | | | | | |
| | 6 | Reference No. | | | | | | | |
| 4 | | | 4 | | | | | | |
| Byproduct, source, and/or special nuclear material Chemical and/or physical form Maximum amount that licensee may possess at any one time under this license A. As specified in Condition 11 A. Not applicable | | | | | | | | | |
| A. Pursuant to 10 CFR 32.51, the licensee is authorized to distribute the devices containing sealed sources specified in Condition 11 of this license to persons generally licensed pursuant to 10 CFR 31.5 or equivalent provisions of the regulations of any Agreement State. | | | | | | | | | |
| | CON | NDITIONS | | | | | | | |
| The licensee may distribute only from its facilities located at Little Falls Center, 2850 Centerville Road, Wilmington, Delaware and CALC Distribution Center, 500 Ships Landing Way, New Castle, Delaware. | | | | | | | | | |
| 11. Each device distributed pursuant to the conditions of this license shall be in accordance with the following table: | | | | | | | | | |
| <u>Device Model</u> Number | <u>Isotope</u> | Source Model Number | <u>Maximum Activity Per</u> <u>Source</u> | | | | | | |
| Model 19233 Detector Cell | Plated source | Nickel 63 | 18 millicuries | | | | | | |
| Model G1223A Detector Cell | Plated source | Nickel 63 | 15 millicuries | | | | | | |

| NRC FORM 374A | U.S. NUCLEAR REGULATORY COMMISSION | | | PAGE | 2 of 2 | PAGES | |
|--|------------------------------------|--|--------------------------------|----------------------------|--------------------|-------|--|
| | | | License Number 07-28762-02G | | | | |
| MATE | | Docket or Reference Number 030-32988 | | | | | |
| | | | Amendment No | o. 7 | | | |
| | | | | | | | |
| <u>Device Model</u> <u>Number</u> | <u>Isotope</u> | Source M | odel Number | <u>Maximum A</u> Source | <u>ctivity Per</u> | | |
| Model G1533A Detector Cell | Plated source | Nickel 63 | | 15 millio | curies | | |
| Model G2397A Detector Cell | Plated source | Nickel 63 | iu, | 15 millio | curies | | |
| 12. This license does no | t authorize possession or | use of licens | sed material. | | | | |
| 13. 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. Letter dated October 14, 2002 [ML022980145] B. Letter dated November 11, 2003 [ML033440327] | | | | | | | |
| For the U.S. Nuclear Regulatory Commission | | | | | | | |
| Date September 28, 20 | 1 <u>6</u> | By | | | | | |
| | | James P. Dwyer, Chief Commercial and R&D Branch | | | | | |
| | | Divisior Region | n of Nuclear Mat I | terials Safety | 1 | | |
| | | King of | Prussia, Penns | ylvania 1940 | 6 | | |