



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

October 22, 2006

Montana State University  
Safety and Risk Management Department  
Radiation Safety Office  
ATTN: Curtis L. Hofer  
Radiation Safety Officer  
1160 Research Drive  
Bozeman, MT 59718-6856

SUBJECT: LICENSE AMENDMENT

Please find enclosed Amendment No. 53 to NRC License No. 25-00326-06, **authorizing an MDS Noridian Gammacell 40 irradiator. Your commitments for operating, training, and performing routine maintenance are included in License Condition 27.E.** An environmental assessment for this action is not required, since this action is categorically excluded under 10 CFR 51.22(c)(14)(v) and 10 CFR 51.22(c)(14)(xi). 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.

**A review of your docket file identified the need to update the cost estimate of your decommissioning funding plan (DFP). According to our records, the last update of your DFP occurred in 2000. Please note that the financial assurance and decommissioning regulations were updated in December 2005. Section 30.35(e) requires that cost estimates must be adjusted at intervals not to exceed 3 years. Please provide within the next 60 days: 1) an updated Statement of Intent letter containing the new decommissioning total cost estimate, and 2) an updated DFP with revised cost estimate. If you have already provided an updated DFP, please disregard this reminder.**

**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/>. Pursuant to NRC's RIS 2005-31, the enclosed materials license will not be made publicly available.**

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. Request and obtain a license amendment before you:
  - a. Change Radiation Safety Officers;
  - b. Order byproduct material in excess of the amount, radionuclide 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.

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 or renewal 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 NRC 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. However, an electronic version of the NRC's regulations is available on the NRC Web site at [www.nrc.gov](http://www.nrc.gov). To view these regulations, highlight "Electronic Reading Room" and choose "Regulations" on the drop down menu. An electronic version of the NUREG-1556 Series publications is also available on the NRC Web site. To view these guidance documents, highlight "Electronic Reading Room"; choose "All Document Types" on the drop down menu; scroll down to "NUREG-Series Publications"; and select "Publications Prepared by the NRC Staff". Then, choose "NUREG-1556" from the table and select the appropriate volume(s) for your license type.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this cover 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: 030-00871  
License: 25-00326-06  
Control: 471108

Enclosure: As stated