



Br. 2

JON S. CORZINE  
Governor

State of New Jersey  
OFFICE OF THE ATTORNEY GENERAL  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CRIMINAL JUSTICE  
OFFICE OF THE STATE MEDICAL EXAMINER  
STATE TOXICOLOGY LABORATORY  
325 NORFOLK STREET  
NEWARK, NJ 07103-2701  
TELEPHONE (973) 648-7259 FAX (973) 648-7618

GREGORY A. PAW  
Director

Stuart Rabner  
Attorney General

GEORGE F. JACKSON, Ph.D.  
Chief State Toxicologist

November 20, 2006

Attn: Dennis R. Lawyer,  
Nuclear Regulatory Commission  
Region I  
475 Allendale Road  
King of Prussia, PA 19406-1415

29-13633-01  
03005459

RECEIVED  
REGION I  
2006 NOV 27 PM 1:40

Dear Mr. Lawyer,

This letter is in response to your letter dated August 25, 2006 and our telephone conversation on October 30, 2006. The enclosed form and information is to further pursue my original request to terminate the radioactive material license of the New Jersey State Toxicology Laboratory.

1. Enclosed is Form 314 signed by the laboratory's business manager.
2. Enclosed are letters of receipt for the disposition of our sealed radiation sources (electron capture detectors) and leak tests for each of those sources.
3. The survey results of all surface areas in the former radiation laboratory, even though not above background, is not attached to NRC Form 314 because the only isotope that was used was Iodine 125 which has a half-life of 56 days. Only isotopes with a half-life of greater than 65 days are required to be submitted with the request for termination of our license.

We have been using radioactive assay kits and sealed source detectors since approximately 1970. We have never had more than 4 kits in our possession at any one time. Each kit had a total of 10 micro curies of Iodine 125. The last time we possessed any radioactive material was at the end of May 2006. If you require any further information to process this request, please call or write to me at the above phone number and address.

Thank you for your help with this matter.

Sincerely yours,

Robert Havier, Ph.D  
Forensic Toxicologist

RH:jr

FileRef:havier,NRCLawyer,2006

(Ref. 139268)

139772  
NMSS/RGNI MATERIALS-002

(6-2004)  
10 CFR 30.38(j)(1); 40.42(j)(1);  
70.38(j)(1); and 72.54(j)(1)

Estimated burden per response to comply with this mandatory collection request: 30 minutes. This submittal is used by NRC as part of the basis for its determination that the facility is released for unrestricted use. Send comments regarding burden estimate to the Records and FOIA/Privacy Services Branch (T-5 F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by internet e-mail to infocollects@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0028), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

**CERTIFICATE OF DISPOSITION OF MATERIALS**

LICENSEE NAME AND ADDRESS

NJ State Toxicology Laboratory  
325 Norfolk Street  
Newark, NJ 07103

LICENSE NUMBER

29-13633-01

DOCKET NUMBER

030-05459

LICENSE EXPIRATION DATE

July 31, 2011

- A. LICENSE STATUS (Check the appropriate box)**  
 This license has expired.  This license has not yet expired; please terminate it.

**B. DISPOSAL OF RADIOACTIVE MATERIAL**

(Check the appropriate boxes and complete as necessary. If additional space is needed, provide attachments)

The licensee, or any individual executing this certificate on behalf of the licensee, certifies that:

- 1. No radioactive materials have ever been procured or possessed by the licensee under this license.
- 2. All activities authorized by this license have ceased, and all radioactive materials procured and/or possessed by the licensee under this license number cited above have been disposed of in the following manner.
  - a. Transfer of radioactive materials to the licensee listed below: *Agilent Technologies - NRC License No. 07-28762-01 ; NRD - NRC License No. 1391-1811 (see attached documents)*
  - b. Disposal of radioactive materials:
    - 1. Directly by the licensee: *Liquid waste containing only I<sup>125</sup> (t<sub>1/2</sub> = 56 days) into sanitary sewer system*
    - 2. By licensed disposal site:
    - 3. By waste contractor:
- c. All radioactive materials have been removed such that any remaining residual radioactivity is within the limits of 10 CFR Part 20, Subpart E, and is ALARA.

**C. SURVEYS PERFORMED AND REPORTED**

- 1. A radiation survey was conducted by the licensee. The survey confirms:
  - a. the absence of licensed radioactive materials
  - b. that any remaining residual radioactivity is within the limits of 10 CFR 20, Subpart E, and is ALARA.
- 2. A copy of the radiation survey results:
  - a. is attached; or  b. is not attached (Provide explanation); or  c. was forwarded to NRC on: \_\_\_\_\_ Date
- 3. A radiation survey is not required as only sealed sources were ever possessed under this license, and
  - a. The results of the latest leak test are attached; and/or
  - b. No leaking sources have ever been identified.

The person to be contacted regarding the information provided on this form:

NAME <i>Robert HAVIER</i>	TITLE <i>Forensic Toxicologist</i>	TELEPHONE (Include Area Code) <i>973-648-7260</i>	E-MAIL ADDRESS <i>havier@njdcj</i>
Mail all future correspondence regarding this license to: <i>New Jersey State Tox. Lab., 325 Norfolk Street, Newark, N.J. 07103-2701</i>			

**C. CERTIFYING OFFICIAL**  
I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT

PRINTED NAME AND TITLE <i>MIKE ONOFRI, BUSINESS MGR.</i>	SIGNATURE <i>[Signature]</i>	DATE <i>11/2/06</i>
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WARNING: FALSE STATEMENTS IN THIS CERTIFICATE MAY BE SUBJECT TO CIVIL AND/OR CRIMINAL PENALTIES. NRC REGULATIONS REQUIRE THAT SUBMISSIONS TO THE NRC BE COMPLETE AND ACCURATE IN ALL MATERIAL RESPECT. 18 U.S.C. SECTION 1001 MAKES IT A CRIMINAL OFFENSE TO MAKE A WILLFULLY FALSE STATEMENT OR REPRESENTATION TO ANY DEPARTMENT OR AGENCY OF THE UNITED STATES AS TO ANY MATTER WITHIN ITS JURISDICTION.



NRD, LLC 800-525-8076  
 2937 ALT BOULEVARD 716-773-7634  
 PO BOX 310 716-773-7744 FAX  
 GRAND ISLAND, NY www.nrdinc.com  
 14072-0310 sales@nrdinc.com

To Whom It May Concern:

Date: 3/10/2005

We are in receipt of:

Device & Model: Perkin Elmer Electron Capture Cell

Serial Number: 885

Isotope: Nickel-63

Content: 15mCi

Date of Manufacture: Unknown

Returned to NRD for:

Special Modification: \_\_\_\_\_

Wipe Test: \_\_\_\_\_

Repair, Renovation and Return: \_\_\_\_\_

Waste Disposal: X

(Service performed under NYS License 1391-1811)

Returned by:

Firm Name: NEW JERSEY STATE TOXICOLOGY LA DEPT OF LAW & PUBLIC SAFETY

Address: OFFICE OF STATE MEDICAL EXAMINER

325 NORFOLK ST

NEWARK NJ 07013

Condition of Material Received:

Good: X

Other: \_\_\_\_\_

Complete: X

Incomplete: \_\_\_\_\_

Very truly yours,

Douglas M. Davis

Radiation Safety Officer

B# 6035809 - INV# 30770

DATE: 11/12/2004

INVOICE NO. 32217

CUSTOMER NUMBER: 12251

PURCHASE ORDER: 5952295

SHIP TO:

DR R HAVIER

BILL TO:

ACCTS PAYABLE

STATE OF NJ - TOXICOLOGY LAB  
325 NORFOLK ST  
NEWARK NJ 07103

STATE OF NJ - TOXICOLOGY LAB  
325 NORFOLK ST  
NEWARK NJ 07103

DESCRIPTION	QUANTITY	PRICE	EXTENSION	TOTAL DUE
NI-63 LEAK TEST	1	\$50.00	\$50.00	
		Sales Tax	\$0.00	\$50.00

\* \* LEAK TEST CERTIFICATE \* \*

NUMBER OF SAMPLES: 2

TEST METHOD: WET WIPE

RADIONUCLIDE AS IDENTIFIED BY CUSTOMER IS NICKEL-63

ANALYSED FOR BETA CONTAMINATION USING WINDOWLESS PROPORTIONAL COUNTER

SAMPLES TAKEN BY CUSTOMER

ANALYSED BY L KEATING

\* \* TEST RESULTS \* \*

DEVICE I D	SAMPLE I D	MICROCURIES/SAMPLE	PASS/FAIL
PE s/n 885	Sample #1	< 14 x 10E-6	PASS
PE s/n 885	Sample #2	< 14 x 10E-6	PASS

LIMIT IS 5000 x 10E-6 MICROCURIES PER DEVICE

TESTED UNDER NYS DOL LICENSE #2323-3164

DATE: 11/12/2004

SIGNED BY

HEALTH PHYSICIST

PAGE 1 OF 1



Agilent Technologies  
Innovating the HP Way

October 15, 2001

State of New Jersey  
325 Norfolk Str.  
Newark, NJ 07103

Attn: Robert Havier

Re: Acknowledgment of Receipt of Electron Capture Detector

Dear Customer,

This is to acknowledge that Electron Capture Detector(s), Serial Number(s),  
S10006  
were received on 10/01/01 and are in possession of Agilent Technologies Inc.,  
Wilmington, DE U.S.A.

Sincerely yours,

*Rhonda S. Payne*

Agilent Technologies Inc.  
NRC License No. 07-28762-01

**"CUSTOMERS MUST NOTIFY THEIR INDIVIDUAL STATE  
REGULATORY AGENCY AND REGULATORY OFFICE OF THIS  
TRANSACTION"**

SOLD TO N.J. State Tax Lab  
Attn: Accounts Payable  
325 NORFOLK ST  
Newark N.J 07103

No 4788

SHIP TO N.J. State Tax Lab  
Attn: Dr. R. Havier  
325 Norfolk ST  
Newark NJ 07103

7/27/01

CUSTOMER P. 9109400 NRD S.O.

DATE OF ANALYSIS

1 Set Wipe Test Results \$50.00 \$50.00  
S/N: S10006  
Wipes taken: 7/24/01

LEAK TEST CERTIFICATE

NUMBER OF SAMPLES ANALYZED ( 3 )  
LEAK TEST METHOD Wipe test  
RADIOACTIVE MATERIAL Ni63  
PERSON PERFORMING TEST \_\_\_\_\_ / ANALYSIS Gregory McClellan  
SAMPLE ANALYZED IN A ( ) WINDOWLESS GAS FLOW PROPORTIONAL COUNTER  
( ) ALPHA SCINTILLATION COUNTER  
( X ) LIQUID SCINTILLATION COUNTER  
( ) OTHER \_\_\_\_\_

TESTS ARE WITHIN PRESCRIBED LIMITS ( X )  
GREATER THAN PRESCRIBED LIMITS ( )

TEST RESULTS

WIPE NUMBER	MODEL NUMBER	SERIAL NUMBER	MICROCURIES / SAMPLES
94	ECD	S10006	Less than 0.0001 uCi
95		S10006	Less than 0.0001 uCi
96		S10006	Less than 0.0001 uCi

SIGNED Gary Gotsch  
TITLE Gary Gotsch, Health Physics Spvr.  
DATE 7/27/01

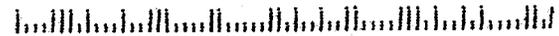
R. HAVIER, Ph.D.

STATE OF NEW JERSEY  
INSTITUTE OF FORENSIC SCIENCE  
REGIONAL MEDICAL EXAMINER  
STATE TOXICOLOGY LABORATORY  
325 NORFOLK STREET  
NEWARK, NJ 07103-2701



ATTN: DENNIS R. LAWYER,  
NUCLEAR REGULATORY COMMISSION  
REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PA 19406-1415

1940681431 0002



This is to acknowledge the receipt of your letter/application dated

11/20/2006, and to inform you that the initial processing which includes an administrative review has been performed.

Termination 29-13633-01  
There were no administrative omissions. Your application was assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information.

Please provide to this office within 30 days of your receipt of this card

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A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned Mail Control Number 139772  
When calling to inquire about this action, please refer to this control number.  
You may call us on (610) 337-5398, or 337-5260.