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

March 1, 2007

Docket Nos. 030-37411 License Nos. 29-03351-01
070-02912 SNM-1862
Control Nos. 140094
139355

Robert Prezant, Ph.D.
Dean, CSAM
Montclair State University
1 Normal Avenue
Montclair, NJ 07043

SUBJECT: MONTCLAIR STATE UNIVERSITY, LICENSE RENEWAL, CONTROL NOS. 140094 AND 139355

Dear Dr. Prezant:

This refers to your request for renewal of your NRC license. Considering that you no longer possess or will be authorized to possess special nuclear material, by this renewal action, we are administratively terminating License No. SNM-1862 concurrently with the issuance of License No. 29-03351-01 which authorizes activities with byproduct material. Enclosed with this letter is the renewed license. Please review the enclosed document carefully and be sure that you understand all conditions. 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.

Please note that Finley Hall and Richardson Hall are still listed on License No. 29-03351-01 because we have not received surveys to document that the rooms have no residual contamination above NRC limits. The need for such surveys was first brought to your attention in a letter dated December 28, 2000. Enclosed is guidance from NUREG-1757, Volume 2, "Consolidated NMSS Decommissioning Guidance - Characterization, Surveys and Determination of Radiological Criteria", Appendix B, "Simple Approaches for conducting Final Radiological Surveys", that you may use to perform surveys that will be acceptable to the NRC. You should submit the information requested in this guidance with your request to amend the license to remove these locations.

The NRC expects licensees to conduct their programs with meticulous attention to detail and high standards of safety and 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 program according to NRC regulations, the conditions of your NRC license, and the representations made in your application. 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 the NRC in writing of any change in mailing address.

3. In accordance with 10 CFR 30.36(d), notify the NRC, promptly, in writing, and request termination of the license

   a) when you decide to terminate all activities involving materials authorized under the license; or

   b) if you decide not to acquire or possess and use authorized material.

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; or

   c) add or change the areas of use, or addresses 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 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.

You will be periodically inspected by the NRC. Failure to conduct your program safely and in accordance with NRC regulations, license conditions, and the 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, imposition of a civil penalty, or an order suspending, modifying or revoking your license.

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 www.nrc.gov; select **Nuclear Materials; Medical, Industrial, and Academic 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 9:00 p.m. EST, Monday through Friday (except Federal holidays).

Thank you for your cooperation.

Sincerely,

Original signed by Elizabeth Ullrich

Betsy Ullrich
Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety

Enclosure:
1. License No. 29-03351-01
2. SNM-1862, Amendment No. 07
3. NUREG-1757, Volume 2, Appendix B

cc:
Amy V. Ferdinand, Radiation Safety Officer

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SUNSI Review Complete: LRoldán
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DATE	3/1/07		3/1/07					

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MATERIALS LICENSE

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.

Licensee	In accordance with the letter dated August 30, 2006
1. Montclair State University	3. License number 29-03351-01 is issued in its entirety to read as follows:
2. 1 Normal Avenue Montclair, New Jersey 07043	4. Expiration date March 31, 2017
	5. Docket No. 030-37411 Reference No. SNM-1862/070-02912

6. Byproduct, source, and/or special nuclear material	7. Chemical and/or physical form	8. Maximum amount that licensee may possess at any one time under this license
A. Hydrogen 3	A. Any	A. 5 millicuries
B. Carbon 14	B. Any	B. 1 millicurie
C. Phosphorus 32	C. Any	C. 5 millicuries
D. Phosphorus 33	D. Any	D. 5 millicuries
E. Sulfur 35	E. Any	E. 5 millicuries
F. Iodine 125	F. Any	F. 1 millicurie

9. Authorized use:

A. through F. Research and development as defined in 10 CFR 30.4.

CONDITIONS

10. Licensed material may be used or stored only at the licensee's facilities located at 1 Normal Avenue, Biology Department - Science Hall, Finley Hall, and Richardson Hall, Montclair, New Jersey.

11. Licensed material shall be used by, or under the supervision of, Dr. Pamela J. Delaney, Dr. John J. Gaynor, Dr. Lee H. Lee, Dr. Bonnie K. Lustigman or Dr. Quinn Vega. Licensed material listed in item 6.A. through 6.E. above shall be used by, or under the supervision of Dr. James Dyer.

12. The Radiation Safety Officer for this license is Amy V. Ferdinand.

13. The licensee shall not use licensed material in or on human beings.

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SUPPLEMENTARY SHEET

14. The licensee shall not use licensed material in field applications where it is released except as provided otherwise by specific condition of this license.

15. The licensee is authorized to hold byproduct material with a physical half-life of less than or equal to 120 days for decay-in-storage before disposal without regard to its radioactivity if the licensee:

    A. Monitors byproduct material at the surface before disposal and determines that its radioactivity cannot be distinguished from the background radiation level with an appropriate radiation detection survey meter set on its most sensitive scale and with no interposed shielding; and

    B. Removes or obliterates all radiation labels, except for radiation labels on materials that are within containers and that will be managed as biomedical waste after they have been released from the licensee; and

    C. Maintains records of the disposal of licensed materials for 3 years. The record must include the date of disposal, the survey instrument used, the background radiation level, the radiation level measured at the surface of each waste container, and the name of the individual who performed the disposal.

16. The licensee is authorized to transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."

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17. 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 July 12, 1995
    B. Application dated January 26, 2007 [ML070530318]

For the U.S. Nuclear Regulatory Commission

Date March 1, 2007

By ***Original signed by Elizabeth Ullrich***

Elizabeth Ullrich
Commercial and R&D Branch
Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406