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

October 23, 2007

Lovelace Respiratory Research institute
ATTN: Elaine T. Marshall, CHP
Radiation Safety Officer
2425 Ridgecrest Drive, SE
Albuquerque, New Mexico 87108

SUBJECT: LICENSE AMENDMENT

Please find enclosed Amendment No. 04 to NRC License No. 30-29237-01 **adding additional locations of use and licensed material for research and development, and listing a new Radiation Safety Officer. Also, as requested by telephone on October 22, 2007, we have reduced the possession limit for Uranium-235 not to exceed 350 grams.**

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/. Additionally, the link for frequently asked questions may be located at: http://www.nrc.gov/reading-rm/faqlist.html, then select "Withholding of Sensitive Information." Pursuant to NRC's RIS 2005-31, the enclosed materials license will not be made publicly available.

Please note that by License Condition 18 you are required to comply with the "Increased Controls for Licensees that Possess Sources Containing Radioactive Material Quantities of Concern" (IC) (ADAMS Accession No. ML053130364) published as "Attachment B" to the "*Orders Imposing Increased Controls*" (ML053130218) in the Federal Register on December 1, 2005 (70 FR 72128). This License Condition requires you to complete implementation of said requirements by the first day that radionuclides in quantities of concern are possessed at or above the limits specified in "Table 1: Radionuclides of Concern" found in the IC, and notify, in writing, the Director, Office of Federal and State Materials and Environmental Management Programs, U.S. NRC, Washington, DC, 20555, when you have completed the requirements of this License Condition. Your response must be marked as "Withhold from Public Disclosure Under 10 CFR 2.390."

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 the enclosed document carefully and be sure that you understand all conditions. If there are any errors or if you have any questions, please contact me at 925-673-9646.

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 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. 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 "Collections"; choose "NUREG-Series Pubs"; 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 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

James L. Montgomery, Health Physicist
Nuclear Materials Safety Branch B

Docket: 030-37312
License: 30-29237-01
Control: 471483

Enclosures: As stated