



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

March 10, 2008

Docket No. 030-35435
Control No. 141537

License No. 07-30584-01

T. Ben Hsu
Chief Financial Officer
QPS, LLC
Delaware Technology Park
3 Innovation Way
Suite 240
Newark, DE 19711

SUBJECT: QPS, LLC, LICENSE AMENDMENT, CONTROL NO. 141537

Dear Mr. Hsu:

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.

Please note that in addition to your request, and in accordance with NRC Regulatory Issue Summary (RIS) 2004-17, Revision 1: Revised Decay-In-Storage Provisions for the Storage of Radioactive Waste Containing Byproduct Material (<http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2004/ri200417r1.pdf>), your license has been modified. Your license now contains a revised decay-in-storage (DIS) condition (see Condition No. 15 of the enclosed license). This revised condition permits greater flexibility for DIS of waste by eliminating a specific holding period prior to disposal. Please review the RIS 2004-17, Revision 1, and the revised condition carefully to ensure that you understand its requirements.

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, Academic, and Industrial Uses of Nuclear Material**; then **Regulations, Guidance, and Communications**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 7:00 a.m. to 8:00 p.m. EST, Monday through Friday (except Federal holidays).

T. Hsu
QPS, LLC

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Thank you for your cooperation.

Sincerely,

Original signed by Bryan A. Parker

Bryan A. Parker
Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety

Enclosure:
Amendment No. 04

cc:
Eric Solon, Ph.D., Radiation Safety Officer

DOCUMENT NAME: C:\FileNet\ML080690027.wpd

SUNSI Review Complete: BParker

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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	
1. QPS, LLC	December 20, 2007, 3. License No. 07-30584-01
2. Delaware Technology Park 3 Innovation Way, Suite 240 Newark, Delaware 19711	4. Expiration Date: October 31, 2010 5. Docket No. 030-35435

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. 75 millicuries
B. Carbon 14	B. Any	B. 50 millicuries
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. Calcium 45	F. Any	F. 4 millicuries
G. Chromium 51	G. Any	G. 5 millicuries
H. Yttrium 90	H. Any	H. 10 millicuries
I. Technetium 99m	I. Any	I. 10 millicuries
J. Iodine 125	J. Non-volatile compounds	J. 15 millicuries
K. Rhenium 188	K. Any	K. 5 millicuries

9. Authorized use:

A. - K. Research and development as defined in 10 CFR 30.4; animal studies.

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CONDITIONS

10. Licensed material may be used only at the licensee's facilities located at: Delaware Technology Park, 3 Innovation Way, Suites 211, 225 & 240, and 1 Innovation Way, Suite 200, Newark, Delaware; and Pencader Corporate Center, 110 Executive Drive, Suite 7, Newark, Delaware.
11. A. Licensed material shall be used by, or under the supervision of, Yuan-Shek Chen, Lawrence Duan, Alfred Lordi, Kumar Ramu, Helen Shen, or Eric Solon.
B. The Radiation Safety Officer (RSO) for this license is Eric Solon, Ph.D.
12. Licensed material shall not be used in or on human beings.
13. Experimental animals, or the products from experimental animals, that have been administered licensed materials shall not be used for human consumption.
14. The licensee shall not use licensed material in field applications where activity 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 three 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. Application dated July 11, 2000 [ML003733823]
- B. Letter dated September 26, 2000 [ML003754724]
- C. Letter dated March 28, 2002 [ML020980216]
- D. Letter dated April 30, 2002 [ML021230462]
- E. Letter dated May 17, 2004 [ML041550812]
- F. Letter dated April 25, 2005 [ML051440224]
- G. Letter received June 7, 2005 [ML051610133]
- H. Letter dated December 20, 2007 [ML080090348]



For the U. S. Nuclear Regulatory Commission

Original signed by Bryan A. Parker

Date February 21, 2008

Bryan A. Parker
Commercial and R&D Branch
Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406