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

June 13, 2008

Docket No. 03035993 License No. 29-30730-01
Control No. 142365

Charles A. Giomuso
Radiation Safety Officer
Superior Medical Diagnostics II, LLC
235 Franklin Avenue
Nutley, NJ 07110

SUBJECT: SUPERIOR MEDICAL DIAGNOSTICS II, LLC, LICENSE AMENDMENT, CONTROL NO. 142365

Dear Mr. Giomuso:

This refers to your license amendment request. Enclosed with this letter is the amended license.

Please note that the format of your license has changed to update the license to current standards for medical use licences of sealed sources.

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.

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).

Thank you for your cooperation.

Sincerely,

Original signed by Dennis R. Lawyer

Dennis R. Lawyer
Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety

Enclosure:
Amendment No. 3

cc:
John Galdi, Administrator

DOCUMENT NAME: C:\FileNet\ML081690040.wpd

SUNSI Review Complete: DLawyer

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Amendment No. 3

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 April 30, 2008,
1. Superior Medical Diagnostics II, LLC	3. License number 29-30730-01 is amended in its entirety to read as follows:
2. 235 Franklin Avenue Nutley, New Jersey 07110	4. Expiration date April 30, 2012
	5. Docket No. 03035993 Reference No.

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. Technetium 99m	A. Any	A. 50 millicuries
B. Cesium 137	B. Sealed Source (DuPont Model NES 356)	B. 250 microcuries
C. Any byproduct material permitted by 10 CFR 35.500	C. Sealed Sources (IPL Model PHI-0089)	C. 15 millicuries per source and 30 millicuries total

9. Authorized use:

A. and B. Calibration of the licensee's instruments.

C. Diagnostic medical use of sealed sources permitted by 10 CFR 35.500 in compatible devices registered pursuant to 10 CFR 30.32(g).

CONDITIONS

10. Licensed material may be used or stored only at the licensee's facilities located at 235 Franklin Avenue, Nutley, New Jersey.

11. The Radiation Safety Officer for this license is Charles Giomuso, M.S.

12. Licensed material is only authorized for use by, or under the supervision of:

    A. Individuals permitted to work as an authorized user in accordance with 10 CFR 35.13 and 35.14.

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B. The following individuals are authorized users for medical use as indicated:

Authorized Users	Material and Use
Jeffrey Nauman, M.D.	35.500
Helene Reich, M.D.	35.500
James Heimann, M.D.	35.500

C. The following individuals are authorized users for non-medical uses as indicated:

Users	Material and Use
Charles Giomuso, M.S.	Cs-137 and Tc-99m for instrument calibration

13. A. Sealed sources shall be tested for leakage and/or contamination at intervals not to exceed the intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or under equivalent regulations of an Agreement State.

B. In the absence of a certificate from a transferor indicating that a leak test has been made within the intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or under equivalent regulations of an Agreement State, prior to the transfer, a sealed source received from another person shall not be put into use until tested and the test results received.

C. Sealed sources need not be tested if they are in storage and are not being used; however, when they are removed from storage for use or transferred to another person and have not been tested within the required leak test interval, they shall be tested before use or transfer. No sealed source shall be stored for a period of more than 10 years without being tested for leakage and/or contamination.

D. The leak test shall be capable of detecting the presence of 0.005 microcurie (185 becquerels) of radioactive material on the test sample. If the test reveals the presence of 0.005 microcurie (185 becquerels) or more of removable contamination, a report shall be filed with the U.S. Nuclear Regulatory Commission in accordance with 10 CFR 30.50(c)(2), and the source shall be removed immediately from service and decontaminated, repaired, or disposed of in accordance with Commission regulations.

E. Tests for leakage and/or contamination, including leak test sample collection and analysis, shall be performed by the licensee or by other persons specifically licensed by the U.S. Nuclear Regulatory Commission or an Agreement State to perform such services.

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14. Sealed sources or detector cells containing licensed material shall not be opened or sources removed from source holders by the licensee.

15. The licensee shall conduct a physical inventory every six months, or at other interval approved by the U.S. Nuclear Regulatory Commission, to account for all sealed sources and/or devices received and possessed under the license.

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."

17. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of licensed material to quantities below the minimum limit specified in 10 CFR 30.35(d) for establishing decommissioning financial assurance.

18. 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. This license condition applies only to those procedures that are required to be submitted in accordance with the regulations. Additionally, this license condition does not limit the licensee's ability to make changes to the radiation protection program as provided for in 10 CFR 35.26. 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 April 8, 2002 [ML021050171]
    B. Letter dated April 23, 2002 [ML021140120]
    C. Letter dated June 27, 2002 [ML021790570]

For the U.S. Nuclear Regulatory Commission

Date June 13, 2008

By ***Original signed by Dennis R. Lawyer***

Dennis R. Lawyer
Commercial and R&D Branch
Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406