



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, ILLINOIS 60532-4352

NOV 06 2008

Richard Falk
Radiation Safety Officer
Environmental Protection Agency
26 W. Martin Luther King Drive
Cincinnati, OH 45268

Dear Mr. Falk:

Enclosed is Amendment No. 23 to your NRC Material License No. 34-12736-02 in accordance with your request. Please note that the changes made to your license are printed in **bold font**.

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 III office at (630) 829-9887 so that we can provide appropriate corrections and answers.

This also refers to the telephone conversation on November 5, 2008, concerning Condition Nos. 12 and 13 of your license, which appear to contradict each other. Condition No. 12, in particular, is intended for use on broad scope licenses, which would not be appropriate for your limited scope license. It appears that this error may have occurred several years ago as a misunderstanding by another reviewer, who no longer works for NRC.

Also, it does not appear that you have named at least one qualified authorized user for each of the materials authorized by the license, specifically, cadmium-109, cobalt-57 and nickel-63.

Within 30 days of the date of this letter please provide a written response to these issues requesting an amendment to (1) delete Condition No. 12 and (2) to name at least one qualified authorized user for cadmium-109, cobalt-57 and nickel-63. The qualifications submitted for these authorized users should support his/her intended use of the materials requested.

Please prepare your written response to my attention and reference it as "additional information to control no. 317391." Please include the name, telephone number and fax number of a person who will serve as a point of contact for this amendment, such as you.

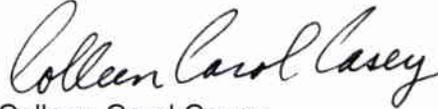
If you have any questions about this amendment or the requested information please contact me at either 630-829-9841 or 800-522-3025, ext. 9841. My fax no. is 630-515-1078.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). The NRC's document system is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

R. Falk

You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and 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, or imposition of a civil penalty, or an order suspending, modifying or revoking your license as specified in the General Statement of Policy and Procedure for NRC Enforcement Actions. Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken when dealing with licensees who do not achieve the necessary meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

Sincerely,

A handwritten signature in cursive script that reads "Colleen Carol Casey".

Colleen Carol Casey
Materials Licensing Branch

License No. 34-12736-02
Docket No. 030-13379

Enclosure:

Amendment No. 23