**CORRECTED COPY**



Amendment No. 3

**U.S. NUCLEAR REGULATORY COMMISSION**

# 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 October 14, 2008, |
|---|---|
| 1. BioRelix, Inc. | 3. License number 06-31263-01 is amended in its entirety to read as follows: |
| 2. 5 Science Park at Yale<br>New Haven, Connecticut 06511 | 4. Expiration date August 31, 2017 |
| | 5. Docket No. 030-37508<br>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. Hydrogen 3 | A. Any | A. 25 millicuries |
| B. Phosphorus 32 | B. Any | B. 25 millicuries |
| C. Phosphorus 33 | C. Any | C. 25 millicuries |
| D. Sulfur 35 | D. Any | D. 25 millicuries |
| E. Iodine 125 | E. Pre-labeled compounds | E. 5 millicuries |

9. Authorized use:

A through E. 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 5 Science Park at Yale, New Haven, Connecticut.

11. A. Licensed material shall be used by, or under the supervision of, Kenneth F. Blount, Ph.D. and Izabela Puskarz, M.Sc.

    B. The Radiation Safety Officer for this license is Izabela Puskarz, M.Sc.

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

13. This license does not authorize commercial distribution of licensed material.

**MATERIALS LICENSE SUPPLEMENTARY SHEET**

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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. Application dated July 3, 2007 [ML071910410]
B. Letter dated August 6, 2007 [ML072210528]
C. Letter dated February 20, 2008 [ML080660632]
D. Letter dated June 23, 2008 [ML081980730]
E. Letter dated October 14, 2008 [ML083030484]

For the U.S. Nuclear Regulatory Commission

Date November 20, 2008

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