



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

January 5, 2009

Jose Santana
Chief Operations Officer/ Inventor
1526 New Haven Avenue, #203
Far Rockaway, NY 11691

SUBJECT: NEW LICENSE APPLICATION

Dear Mr. Santana:

We received your application dated December 17, 2008, requesting an NRC license to use and possess licensed materials at a facility in Far Rockaway, New York. Unfortunately, your application does not identify the specific licensed material you wish to possess so we are unable to determine if the City of New York or NRC would have jurisdiction for the license. For this reason, your application is being returned to you. Please note that this is the second time you have requested a license from NRC without providing the necessary information. In our response to your request for license dated August 20, 2007, we enclosed a copy of NUREG-1556, Volume 7, "Program Specific Guidance About Academic, Research and Development, and Other Licenses of Limited Scope." While this NRC guidance document does not apply directly to your use of byproduct, source, or special nuclear material of less than critical mass under the City of New York's jurisdiction in Far Rockaway, New York or to the use of special nuclear material of greater than critical mass under NRC jurisdiction, the document will provide you with an idea of what type of information is required in an application for these materials. Please address the items as described in the guidance before submitting another application.

Sincerely,

Original signed by James P. Dwyer

James P. Dwyer, Chief
Commercial and R&D Branch
Division of Nuclear Materials Safety

Enclosure:
Application dated December 17, 2008

DOCUMENT NAME: G:\WordDocs\Current\Lic Def Letter\L00-00000-00.000000.doc

SUNSI Review Complete: DLawyer

After declaring this document "An Official Agency Record" it will be released to the Public.

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/ attach/encl "N" = No copy

OFFICE	DNMS/RI	N	DNMS/RI	N	DNMS/RI			
NAME	DLawyer / DC9 /		JDwyer / JWD /					
DATE	12/29/08		1/5/09					

OFFICIAL RECORD COPY