

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.

<p>Licensee</p> <p>1. Superior Medical Diagnostics II, LLC</p> <p>2. 235 Franklin Avenue Nutley, New Jersey 07110</p>	<p>In accordance with the letter dated October 31, 2008,</p> <p>3. License No. 29-30730-01 is amended in its entirety to read as follows:</p> <hr/> <p>4. Expiration Date: April 30, 2012</p> <hr/> <p>5. Docket No. 030-35993</p>
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<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Technetium 99m</p> <p>B. Cesium 137</p> <p>C. Any byproduct material permitted by 10 CFR 35.500</p>	<p>7. Chemical and/or physical form</p> <p>A. Any</p> <p>B. Sealed source (DuPont Model NES 356)</p> <p>C. Sealed source (IPL Model PHI-0089)</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. 50 millicuries</p> <p>B. 250 millicuries</p> <p>C. 15 millicuries per source and 30 millicuries total</p>
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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 (RSO) for this license is John T. McLean, 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:

<u>Authorized User</u>	<u>Material and Use</u>
Jeffrey Nauman, M.D.	35.500
Helene Reich, M.D.	35.500
James Heimann, M.D.	35.000

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

<u>Authorized User</u>	<u>Material and Use</u>
John T. McLean, M.S.	Tc-99m and Cs-137 for instrument calibration

13. A. Sealed sources shall be tested for leakage and/or contamination at intervals not to exceed six months or at 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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- F. Records of leak test results shall be kept in units of microcuries and shall be maintained for five years.
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 intervals approved by the U. S. Nuclear Regulatory Commission, to account for all sources and/or devices received and possessed under the license. Records of inventories shall be maintained for five years from the date of each inventory and shall include the radionuclides, quantities, manufacturer's name and model numbers, and the date of the inventory.
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

Original signed by Bryan A. Parker

Date January 15, 2009

By _____

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