

U.S. NUCLEAR REGULATORY COMMISSION

Amendment No. 02

**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  1. HBM Virginia LLC  2. 9621 South Pines Road Warrenton, VA 20186	In accordance with letter dated December 1, 2008, 3. License number 45-23954-02E is amended in its entirety to read as follows: 4. Expiration date November 30, 2017 5. Docket No. 030-37531 Reference No.
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6. Byproduct, source, and/or special nuclear material  A. Any byproduct material with Atomic Nos. 3 through 92	7. Chemical and/or physical form  A. Irradiated processed topaz gemstones	8. Maximum amount that licensee may possess at any one time under this license  A. Not applicable (See Condition 10)
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9. Authorized use:  
 A. Pursuant to Section 32.11, 10 CFR Part 32, "Specific Domestic Licenses to Manufacture or Transfer Certain Items Containing Byproduct Material"; the licensee is authorized to distribute processed gemstones containing byproduct materials as listed in License Conditions 6 and 7, not to exceed concentrations as specified in 10 CFR 30.70, Schedule A, to persons exempt from licensing pursuant to Section 30.14, 10 CFR Part 30, or equivalent provisions of the regulations of any Agreement State.

CONDITIONS

- 10. This license does not authorize possession or use of licensed material.
- 11. Licensed material shall be distributed only from the licensee's facilities located at 98 Alexandria Pike, Suite 42, and 9621 South Pines Road, Warrenton, Virginia.
- 12. The licensee shall submit periodic material transfer reports as specified in Section 32.12, 10 CFR Part 32.
- 13. The licensee shall not accept any material unless it is accompanied by a certificate indicating that the material has been analyzed and found to contain less than exempt concentrations as specified in Sections 30.14 and 30.70, 10 CFR Part 30. The licensee shall verify that the measurement process was adequate to measure radioactivity below exempt concentrations.

CONDITIONS

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**License Number  
45-23954-02EDocket or Reference Number  
030-37531

Amendment No. 02

(Continued)

14. Notwithstanding the requirements of Section 32.11(c) of 10 CFR Part 32, the licensee may distribute processed topaz for the purpose of being worn by human beings.
15. The licensee is authorized to modify its procedures as described in items 1.1 through 1.3.2 of letter dated December 17, 2007. The licensee is not authorized to modify its procedures as described in Method 2 of this letter.
16. 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 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 August 16, 2007;  
B. Letter dated September 4, 2007;  
C. Letter dated October 31, 2007;  
D. Letter dated December 17, 2007 ; and,  
E. Letter dated December 1, 2008.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

/RA/

March 4, 2009

Date \_\_\_\_\_

By \_\_\_\_\_

J. Bruce Carrico  
Licensing Branch  
Division of Materials Safety and  
State Agreements  
Office of Federal and State Materials and  
Environmental Management Programs  
Washington, DC 20555