



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
612 EAST LAMAR BLVD, SUITE 400
ARLINGTON, TEXAS 76011-4125

March 7, 2009

University of Idaho
Environmental Health and Safety
ATTN: Dr. Samir Shahat
Radiation Safety Officer
1108 West Sixth Street
Moscow, ID 83844-2030

SUBJECT: LICENSE AMENDMENT

Please find enclosed Amendment No. 15 to NRC License No. 11-27382-01. **This license amendment authorizes Dr. Samir Shahat as the Radiation Safety Officer. In addition, please note our new address in the above letterhead and in License Condition 14.G.** An environmental assessment for this action is not required, since this action is categorically excluded under 10 CFR 51.22(c)(14)(v). You should review the enclosed document carefully and be sure that you understand all conditions. If there are any questions, please contact me at 817-276-6552.

Please note that 10 CFR 30.34, Terms and conditions of licenses, was revised to enhance the security requirements for portable gauges containing byproduct material. This revision became effective July 11, 2005. Revised 10 CFR 30.34 now requires that "each portable gauge licensee shall use a minimum of two independent physical controls that form tangible barriers to secure portable gauges from unauthorized removal, whenever portable gauges are not under the control and constant surveillance of the licensee" (i.e., when not in use). Guidance on these security procedures is provided in the errata sheet for Appendix H of NUREG-1556, Volume 1, Revision 1 which may be located at: <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/v1/r1/>.

NRC expects licensees to conduct their programs with meticulous attention to detail and a high standard of compliance. Because of the serious consequences to employees and the public that can result from failure to comply with NRC requirements, you must conduct your radiation safety program according to the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate by NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers: Inspection and Investigations," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Notify NRC in writing of any change in mailing address.
3. Request and obtain a license amendment before you:
 - a. Change Radiation Safety Officers;
 - b. Order byproduct material in excess of the amount, radionuclide or form authorized on the license;

- c. Add or change the areas or address(es) of use identified in the license application or on the license; or
4. Submit a complete renewal application or termination request at least 30 days before the expiration date on your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of radioactive material after your license expires is a violation of NRC regulations.

In addition, please note that NRC Form 313 requires the applicant, by signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of the applicant's knowledge. The signatory for the application should be the licensee or certifying official rather than a consultant. Since the NRC also accepts a letter requesting amendment of an NRC license, the signatory for such a request should also be the licensee or certifying official rather than a consultant.

NRC will periodically inspect your radiation safety program. Failure to conduct your program according to NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC may result in enforcement action against you. This could include issuance of a notice of violation; imposition of a civil penalty; or an order suspending, modifying, or revoking your license as specified in the NRC Enforcement Policy. The NRC Enforcement Policy is available on the following internet address: <http://www.nrc.gov/reading-rm/doc-collections/enforcement/>.

NRC no longer publishes the NRC Rules and Regulations loose leaf supplements. However, an electronic version of the NRC's regulations is available on the NRC Web site at www.nrc.gov. Additional information regarding use of radioactive materials may be obtained on the NRC Web site at <http://www.nrc.gov/materials/miau/mat-toolkits.html>. This site also provides the link to the toolbox for updated information on the revised regulations for naturally-occurring and accelerator-produced radioactive materials (NARM).

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 NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Thank you for your cooperation.

Sincerely,



Rachel S. Browder, Health Physicist
Nuclear Materials Safety Branch B

Docket: 030-32323
License: 11-27382-01
Control: 472059

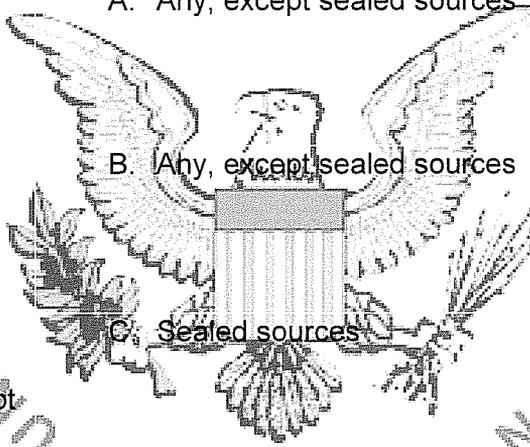
Enclosure: As stated

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. University of Idaho Environmental Health and Safety 2. 1108 West Sixth Street Moscow, Idaho 83844-2030	In accordance with letter dated December 3, 2008 3. License number 11-27382-01 is amended in its entirety to read as follows: 4. Expiration date October 31, 2011 5. Docket No. 030-32323 Reference No.
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6. Byproduct, source, and/or special nuclear material A. Any byproduct material between Atomic Numbers 3 and 83, inclusive, except as specified below B. Any byproduct material between Atomic Numbers 84 and 103, inclusive, except as specified below C. Any byproduct material between Atomic Numbers 3 and 103, inclusive, except as specified below D. Hydrogen-3 E. Carbon-14 F. Phosphorus-32 G. Phosphorus-33 H. Sulfur-35 I. Calcium-45 J. Chromium-51 K. Cadmium-109	7. Chemical and/or physical form A. Any, except sealed sources B. Any, except sealed sources C. Sealed sources D. Any, except sealed sources E. Any, except sealed sources F. Any, except sealed sources G. Any, except sealed sources H. Any, except sealed sources I. Any, except sealed sources J. Any, except sealed sources K. Any, except sealed sources	8. Maximum amount that licensee may possess at any one time under this license A. 10 millicuries per radionuclide and 500 millicuries total B. 1 millicurie per radionuclide and 10 millicuries total C. 10 millicuries per radionuclide and 500 millicuries total D. 1 curie E. 300 millicuries F. 450 millicuries G. 100 millicuries H. 400 millicuries I. 100 millicuries J. 100 millicuries K. 50 millicuries
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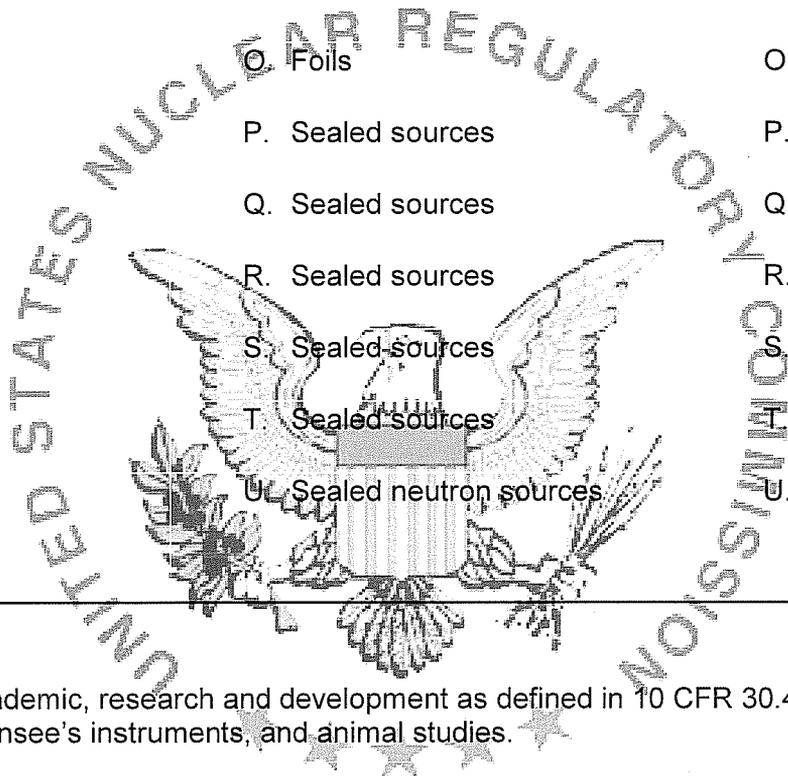
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6. Byproduct, source, and/or special nuclear material	7. Chemical and/or physical form	8. Maximum amount that licensee may possess at any one time under this license
L. Iodine-125	L. Any, except sealed sources	L. 400 millicuries
M. Krypton-85	M. Compressed gas	M. 40 curies
N. Hydrogen-3	N. Foils	N. 1 curie
O. Nickel-63	O. Foils	O. 400 millicuries
P. Cobalt-60	P. Sealed sources	P. 100 millicuries
Q. Cadmium-109	Q. Sealed sources	Q. 100 millicuries
R. Cesium-137	R. Sealed sources	R. 200 millicuries
S. Iron-55	S. Sealed sources	S. 100 millicuries
T. Americium-241	T. Sealed sources	T. 800 millicuries
U. Americium-241	U. Sealed neutron sources	U. 500 millicuries



9. Authorized Use:

- A. through M. Academic, research and development as defined in 10 CFR 30.4, calibration of licensee's instruments, and animal studies.
- N. and O. To be used for sample analysis in gas chromatography devices.
- P. through R. Academic instruction, research and development as defined in 10 CFR 30.4, and to be used in portable gauging devices which have been registered pursuant to 10 CFR 32.210 and distributed in accordance with an NRC or Agreement State specific license to persons specifically licensed by the NRC to receive, possess and use the devices.
- S. and T. Academic instruction, research and development as defined in 10 CFR 30.4, and to be used for sample analysis in compatible X-ray fluorescence analyzers that have been registered either with NRC under 10 CFR 32.210 or with an Agreement State and have been distributed in accordance with an NRC or Agreement State specific license authorizing distribution to persons specifically authorized by the NRC to receive, possess and use the devices.

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- U. To be used in portable gauging devices which have been registered pursuant to 10 CFR 32.210 and distributed in accordance with NRC or Agreement State specific license to persons specifically licensed by the NRC to receive, possess and use the devices.

CONDITIONS

10. A. Licensed material identified in Items 8.A. through 8.U. shall be used at the licensee's facilities as described in Item 3 of application dated May 17, 2001, and located at:
- 1) Main Campus, University of Idaho, Moscow, Idaho
 - 2) Southwest Idaho Research and Extension Center, 29603 University of Idaho Road, Parma, Idaho
 - 3) Aberdeen Research and Extension Center, one-half mile northwest of Aberdeen on Experiment Station Road, Aberdeen, Idaho
 - 4) Idaho Falls Research and Extension Center, University Place, 1776 Science Center Drive, Idaho Falls, Idaho
 - 5) Idaho State University/University of Idaho Center for Higher Education, 1776 Science Center Drive, Idaho Falls, Idaho
- B. Licensed material identified in Item 8.U. shall be used at the licensee's facilities located at Kimberly Research and Extension Center, 3793 North 3600 East, Kimberly, Idaho.
- C. Licensed material identified in Item 8.U. shall be used at temporary jobsites of the licensee anywhere in the United States where the U.S. Nuclear Regulatory Commission maintains jurisdiction for regulating the use of licensed material.
- If the jurisdiction status of a Federal facility within an Agreement state is unknown, the licensee should contact the federal agency controlling the job site in question to determine whether the proposed job site is an area of exclusive Federal jurisdiction. Authorization for use of radioactive materials at job sites in Agreement States not under exclusive Federal jurisdiction shall be obtained from the appropriate state regulatory agency.
11. The Radiation Safety Officer for this license is Dr. Samir Shahat.
12. Licensed material shall be used by, or under the supervision of, individuals designated in writing by the Radiation Safety Committee, Karl K. Rink, Ph.D., Chairman.
13. Notwithstanding the requirements of License Condition 27, the licensee is authorized to make program changes and changes to procedures specifically identified in the application dated May 17, 2001, and the letter dated October 2, 2001, which were previously approved by the Commission and incorporated in the license, without prior Commission approval, as long as:
- A. The proposed revision is documented, reviewed, and approved by the licensee's Radiation Safety Committee in accordance with established procedures prior to implementation;

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- B. The revised program is in accordance with regulatory requirements, will not change license conditions, and will not decrease the effectiveness of the Radiation Safety Program;
- C. The licensee's staff is trained in the revised procedures prior to implementation; and
- D. The licensee's audit program evaluates the effectiveness of the change and its implementation.
14. A. Sealed sources and detector cells shall be tested for leakage and/or contamination at intervals not to exceed 6 months or at such other intervals as specified by the certificate of registration referred to in 10 CFR 32.210.
- B. Notwithstanding Paragraph A of this Condition, sealed sources and detector cells designed to emit alpha particles shall be tested for leakage and/or contamination at intervals not to exceed 3 months.
- C. 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 by 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.
- D. Each sealed source fabricated by the licensee shall be inspected and tested for construction defects, leakage, and contamination prior to any use or transfer as a sealed source.
- E. Sealed sources need not be leak tested if they contain only hydrogen-3; or they contain only a radioactive gas; or the half-life of the isotope is 30 days or less; or they contain not more than 100 microcuries of beta and/or gamma emitting material or not more than 10 microcuries of alpha emitting material.
- F. 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.
- G. 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. The report shall be filed within 5 days of the date the leak test result is known with the U.S. Nuclear Regulatory Commission, Region IV, 612 E. Lamar Blvd., Suite 400, Arlington, Texas 76011, ATTN: Director, Division of Nuclear Materials Safety. The report shall specify the source involved, the test results, and corrective action taken.
- H. The licensee is authorized to collect leak test samples for analysis by the licensee. Alternatively, tests for leakage and/or contamination may be performed by persons specifically licensed by the Commission or an Agreement State to perform such services.
- I. Records of leak test results shall be kept in units of microcuries and shall be maintained for 3 years.

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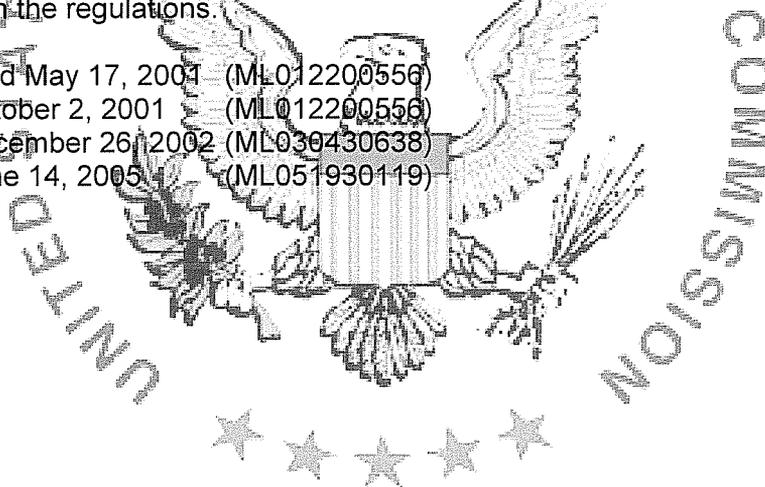
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15. Maintenance, repair, cleaning, replacement, and disposal of foils contained in detector cells shall be performed only by the device manufacturer or other persons specifically authorized by the Commission or an Agreement State to perform such services.
16. A. Detector cells containing a titanium tritide foil or a scandium tritide foil shall only be used in conjunction with a properly operating temperature control mechanism which prevents the foil temperature from exceeding that specified by the manufacturer and approved by U.S. Nuclear Regulatory Commission.
- B. When in use, detector cells containing a titanium tritide foil or a scandium tritide foil shall be vented to the outside.
17. Each portable nuclear gauge shall have a lock or outer locked container designed to prevent unauthorized or accidental removal of the sealed source from its shielded position. The gauge or its container must be locked when in transport, storage, or when not under the direct surveillance of an authorized user.
18. Any cleaning, maintenance, or repair of the gauge(s) that requires removal of the source rod shall be performed only the manufacturer or by other persons specifically licensed by the Commission or an Agreement State to perform such services.
19. 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 the 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.
20. The licensee is authorized to transport licensed material only in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
21. Licensed material shall not be used in or on human beings.
22. The licensee shall not use licensed material in field applications where activity is released except as provided otherwise by specific condition of this license.
23. Sealed sources or detector cells containing licensed material shall not be opened or sources removed from source holders by the licensee.

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24. The licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license.
25. Experimental animals or the products from experimental animals that have been administered licensed materials shall not be used for human consumption.
26. A. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of unsealed licensed material to quantities less than 10^5 times the applicable limits in Appendix B of 10 CFR Part 30, as specified in 10 CFR 30.35(d).
- B. Notwithstanding License Condition 26.A., the licensee is authorized to possess Krypton-85 listed in Items 6.M., 7.M., and 8.M. in accordance with the letter dated December 26, 2002.
27. 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 May 17, 2001 (ML012200556)
- B. Letter dated October 2, 2001 (ML012200556)
- C. Letter dated December 26, 2002 (ML030430638)
- D. Letter dated June 14, 2005 (ML051930119)



FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date: March 7, 2009By: *Rachel S. Browder*Rachel S. Browder, Health Physicist
Nuclear Materials Safety Branch B
Region IV
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