U.S. NUCLEAR REGULATORY COMMISSION

Amendment No. 01

(CORRECTED COPY)

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 application dated December 29, 2000
1. BHP Enterprises	3. License number 11-27365-01 is amended in its entirety to read as follows:
2. P.O. Box 267 Middleton, Idaho 83644	4. Expiration date May 31, 2011
	5. Docket No. 030-32307 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. Cesium-137	A. Sealed sources (New England Nuclear Model NER-570)	A. Not to exceed 100 millicuries per source and 200 millicuries total
B. Any byproduct material with Atomic Numbers 1 through 96	B. Any	B. Not to exceed 10 millicuries per radionuclide and 100 millicuries total except as specified in condition 12.
C. Any special nuclear material	C. Any	C. Not to exceed 10 microcuries per radionuclide and 100 microcuries total except as specified in condition 12.

9. Authorized Use:

A. For use in a New England Nuclear Model 401H gamma calibrator for calibration of instruments, including commercial calibration service for any person as defined in 10 CFR 30.4.

B. and C. For use in performing leak tests, sample analysis and instrument calibration as a commercial service for any person as defined in 10 CFR 30.4.

CONDITIONS

10. Licensed material shall be used or stored only at the licensee's facilities located at 22351 Lansing Lane, Middleton, Idaho.

11. A. Licensed material shall be used by, or under the supervision of, Bruce H. Peterson, or other individuals who have received the training described in the application dated December 29, 2000.

MATERIALS LICENSE
SUPPLEMENTARY SHEET

License Number
11-27365-01

Docket or Reference Number
030-32307

Amendment No. 01
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B. The Radiation Safety Officer for this license is Bruce H. Peterson.

12. In addition to the possession limits in Condition 8, the licensee shall further restrict the possession of licensed material to quantities below the minimum limit specified in 10 CFR 30.35(d), 40.36(b), and 70.25(d) for establishing decommissioning financial assurance.

13. 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. **Sealed sources and detector cells need not be 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.**

E. **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.**

F. 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.

G. 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.

H. **Records of leak test results shall be kept in units of microcuries and shall be maintained for 3 years.**

14. Sealed sources or detector cells containing licensed material shall not be opened or sources removed from source holders or detector cells by the licensee, except as specifically authorized.

MATERIALS LICENSE
SUPPLEMENTARY SHEET

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11-27365-01

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15. The licensee shall conduct a physical inventory every 6 months, or at other intervals approved by the U.S. Nuclear Regulatory Commission, to account for all source s and/or devices received and possessed under the license. **Records of inventories shall be maintained for 5 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 shall not acquire licensed material in a sealed source or device unless the source or device has been registered with the U.S. Nuclear Regulatory Commission pursuant to 10 CFR 32.210 or equivalent regulations of an Agreement State.

17. 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."

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. 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 December 29, 2000 (ML010220497)

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

/RA/

Date: March 12, 2010

By: _____
Roberto J. Torres, Senior Health Physicist
Nuclear Materials Safety Branch B
Region IV
Arlington, Texas 76011-4125