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

June 10, 2010

Hawaii Agriculture Research Center
ATTN: Stephanie A. Whalen
Executive Director
P.O. Box 100
Kunia, Hawaii 96759

SUBJECT: LICENSE AMENDMENT

Please find enclosed Amendment No. 70 to NRC License No. 53-00515-01. **This amendment authorizes the release for unrestricted use of the facility listed in License No. 53-00515-01 as 99-193 Aiea Heights Drive, Aiea, Hawaii, in accordance with 10 CFR 20.1402, "Radiological criteria for unrestricted use". NRC conducted a technical evaluation of the licensee's request to release this facility for unrestricted use and documented its findings in a Technical Evaluation Report dated June 10, 2010 (ADAMS accession number ML101610417).** An environmental assessment for this action is not required, since this action is categorically excluded under 10 CFR 51.22(c)(20)(iii). You should review the enclosed document carefully and be sure that you understand all conditions. You can contact me at 817-860-8189 if you have any questions about this license.

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. By 10 CFR 30.36(d) and/or license condition, notify NRC, promptly, in writing, and request termination of the license:

    a. When you decide to terminate all activities involving materials authorized under the license whether at the entire site or any separate building or outdoor area;

    b. If you decide not to acquire or possess and use authorized material; or

    c. When no principal activities under the license have been conducted for a period of 24 months.

4. 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

d. Change the name or ownership of your organization.

5. 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.

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/.

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,

/RA/

Roberto J. Torres, Senior Health Physicist
Nuclear Materials Safety Branch B

Docket: 030-06839
License: 53-00515-01
Control: 472404

Enclosure: As stated