



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
**NATIONAL OCEAN SERVICE**  
Center for Coastal Environmental Health and Biomolecular Research  
219 Fort Johnson Road  
Charleston, South Carolina 29412-9110

Br 2

Licensing Assistance Team  
Division of Nuclear Materials Safety  
US Nuclear Regulatory Commission Region I  
475 Allendale Road  
King of Prussia PA 19406-1415

39-19399-02  
03017547  
X

Dear Sir:

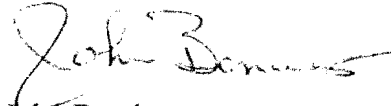
As Radiation Safety Officer I am applying for our license renewal (expiration July 31, 2011). Our program underwent a complete review in 2009 and a review of our program indicates no changes are required. Therefore operations will continue in accordance with those documents and applicable NRC regulations and license conditions.

If further information is required I can be contacted as follows:

Email: [john.bemiss@noaa.gov](mailto:john.bemiss@noaa.gov)

Phone: 843-762-8521 Fax: 843-762-8700

Respectfully;

  
John Bemiss

575410  
NMSS/RGN1 MATERIALS-002



NRC FORM 313

U.S. NUCLEAR REGULATORY COMMISSION

APPROVED BY OMB: NO. 3150-0120

EXPIRES: 3/31/2012

(3-2009)  
10 CFR 30, 32, 33,  
34, 35, 36, 39, and 40

## APPLICATION FOR MATERIALS LICENSE

Estimated burden per response to comply with this mandatory collection request: 4.3 hours. Submittal of the application is necessary to determine that the applicant is qualified and that adequate procedures exist to protect the public health and safety. Send comments regarding burden estimate to the Records and FOIA/Privacy Services Branch (T-5 F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by internet e-mail to [infocollects.resource@nrc.gov](mailto:infocollects.resource@nrc.gov), and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0120), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

INSTRUCTIONS: SEE THE APPROPRIATE LICENSE APPLICATION GUIDE FOR DETAILED INSTRUCTIONS FOR COMPLETING APPLICATION.  
SEND TWO COPIES OF THE ENTIRE COMPLETED APPLICATION TO THE NRC OFFICE SPECIFIED BELOW.

## APPLICATION FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH:

OFFICE OF FEDERAL & STATE MATERIALS AND  
ENVIRONMENTAL MANAGEMENT PROGRAMS  
DIVISION OF MATERIALS SAFETY AND STATE AGREEMENTS  
U.S. NUCLEAR REGULATORY COMMISSION  
WASHINGTON, DC 20555-0001

## ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS:

## IF YOU ARE LOCATED IN:

ALABAMA, CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, FLORIDA, GEORGIA,  
KENTUCKY, MAINE, MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY,  
NEW YORK, NORTH CAROLINA, PENNSYLVANIA, PUERTO RICO, RHODE ISLAND, SOUTH  
CAROLINA, TENNESSEE, VERMONT, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA,  
SEND APPLICATIONS TO:

LICENSING ASSISTANCE TEAM  
DIVISION OF NUCLEAR MATERIALS SAFETY  
U.S. NUCLEAR REGULATORY COMMISSION, REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PA 19406-1415

## IF YOU ARE LOCATED IN:

ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, SEND  
APPLICATIONS TO:

MATERIALS LICENSING BRANCH  
U.S. NUCLEAR REGULATORY COMMISSION, REGION III  
2443 WARRENVILLE ROAD, SUITE 210  
LISLE, IL 60532-4352

ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, HAWAII, IDAHO, KANSAS,  
LOUISIANA, MISSISSIPPI, MONTANA, NEBRASKA, NEVADA, NEW MEXICO, NORTH  
DAKOTA, OKLAHOMA, OREGON, PACIFIC TRUST TERRITORIES, SOUTH DAKOTA, TEXAS,  
UTAH, WASHINGTON, OR WYOMING, SEND APPLICATIONS TO:

NUCLEAR MATERIALS LICENSING BRANCH  
U.S. NUCLEAR REGULATORY COMMISSION, REGION IV  
612 E. LAMAR BOULEVARD, SUITE 400  
ARLINGTON, TX 76011-4125

PERSONS LOCATED IN AGREEMENT STATES SEND APPLICATIONS TO THE U.S. NUCLEAR REGULATORY COMMISSION ONLY IF THEY WISH TO POSSESS AND USE LICENSED  
MATERIAL IN STATES SUBJECT TO U.S. NUCLEAR REGULATORY COMMISSION JURISDICTIONS.

## 1. THIS IS AN APPLICATION FOR (Check appropriate item)

- ☐ A. NEW LICENSE  
☐ B. AMENDMENT TO LICENSE NUMBER  
☒ C. RENEWAL OF LICENSE NUMBER 39-19399-02

## 2. NAME AND MAILING ADDRESS OF APPLICANT (Include ZIP code)

US Department of Commerce NOAA  
National Ocean Service  
219 Fort Johnson RD  
Charleston SC 29412-9110

## 3. ADDRESS WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED

US Department of Commerce NOAA  
National Ocean Service  
219 Fort Johnson RD  
Charleston SC 29412-9110

## 4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

John A. Bemiss

TELEPHONE NUMBER

(843) 762-8521

SUBMIT ITEMS 5 THROUGH 11 ON 8-1/2 X 11" PAPER. THE TYPE AND SCOPE OF INFORMATION TO BE PROVIDED IS DESCRIBED IN THE LICENSE APPLICATION GUIDE.

## 5. RADIOACTIVE MATERIAL

- a. Element and mass number; b. chemical and/or physical form; and c. maximum amount  
which will be possessed at any one time.

## 6. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED.

7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR  
TRAINING EXPERIENCE.

## 8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS.

## 9. FACILITIES AND EQUIPMENT.

## 10. RADIATION SAFETY PROGRAM.

## 11. WASTE MANAGEMENT.

## 12. LICENSE FEES (See 10 CFR 170 and Section 170.31)

FEE CATEGORY N/A AMOUNT \$ 0.00  
ENCLOSED

13. CERTIFICATION. (Must be completed by applicant) THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BINDING  
UPON THE APPLICANT.

THE APPLICANT AND ANY OFFICIAL EXECUTING THIS CERTIFICATION ON BEHALF OF THE APPLICANT, NAMED IN ITEM 2, CERTIFY THAT THIS APPLICATION IS PREPARED IN  
CONFORMITY WITH TITLE 10, CODE OF FEDERAL REGULATIONS, PARTS 30, 32, 33, 34, 35, 36, 39, AND 40, AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND  
CORRECT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF.

WARNING: 18 U.S.C. SECTION 1001 ACT OF JUNE 25, 1948 62 STAT. 749 MAKES IT A CRIMINAL OFFENSE TO MAKE A WILLFULLY FALSE STATEMENT OR REPRESENTATION TO  
ANY DEPARTMENT OR AGENCY OF THE UNITED STATES AS TO ANY MATTER WITHIN ITS JURISDICTION.

CERTIFYING OFFICER - TYPED/PRINTED NAME AND TITLE

John A. Bemiss

SIGNATURE

John A. Bemiss

DATE

6/15/2011

## FOR NRC USE ONLY

TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
			\$		
APPROVED BY				DATE	

575410

**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. U.S. Department of Commerce, NOAA National Ocean Service</p> <p>2. 219 Fort Johnson Road Charleston, South Carolina 29412-9110</p>	<p>In accordance with the letter received June 28, 2010,</p> <p>3. License number 39-19399-02 is amended in its entirety to read as follows:</p> <hr/> <p>4. Expiration date July 31, 2011</p> <hr/> <p>5. Docket No. 03017547 Reference No.</p>
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|---|--|--|
| <p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Hydrogen 3</p> <p>B. Carbon 14</p> <p>C. Phosphorus 32</p> <p>D. Chromium 51</p> <p>E. Nickel 63</p> | <p>7. Chemical and/or physical form</p> <p>A. Any</p> <p>B. Any</p> <p>C. Any</p> <p>D. Any</p> <p>E. Sealed Source (U.S. Radium Model LAB 508-3, New England Nuclear Model NER-004, Amersham Model NBC)</p> | <p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. 50 millicuries</p> <p>B. 50 millicuries</p> <p>C. 20 millicuries</p> <p>D. 10 millicuries</p> <p>E. 15 millicuries</p> |
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9. Authorized use:

- A. through D. Research and development as defined in 10 CFR 30.4.
- E. Possession and storage only.

**CONDITIONS**

10. Licensed material may be used or stored only at the licensee's facilities located at the National Ocean Service, 219 Fort Johnson Road and the Hollings Marine Laboratory, 331 Fort Johnson Road, Charleston, South Carolina.

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**License Number  
39-19399-02Docket or Reference Number  
03017547

Amendment No. 25

11. A. The Radiation Safety Officer for this license is John A. Bemiss.
- B. Licensed material shall be used by, or under the supervision of, John A. Bemiss, Frances M. Van Dolah, Margaret Peden-Adams, Ph.D., Todd Leighfield, or Patricia A. Fair, Ph.D.
- C. Licensed material in items 6. A and 6.B may also be used by, or under the supervision of Marie DeLorenzo
12. The licensee shall not use licensed material in or on human beings.
13. The licensee shall not use licensed material in field applications where it is released except as provided otherwise by specific condition of this license.
14. 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 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.
- D. 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.
- E. 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.

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SUPPLEMENTARY SHEET**License Number  
39-19399-02Docket or Reference Number  
03017547

Amendment No. 25

- F. 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.
- G. Records of leak test results shall be kept in units of microcuries and shall be maintained for 5 years.
15. Sealed sources or detector cells containing licensed material shall not be opened or sources removed from source holders by the licensee.
16. 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 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.
7. 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 U.S. Nuclear Regulatory Commission or an Agreement State to perform such services.
18. 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 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.
19. The licensee is authorized to transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**License Number  
39-19399-02Docket or Reference Number  
03017547

Amendment No. 25

20. 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 9, 1980 [ML011990233]
- B. Letter dated October 15, 1980 [MI011990211]
- C. Letter dated March 25, 1981 [ML011990206]
- D. Letter dated may 26, 1985 [ML01990177]
- E. Letter dated August 24, 1990 [ML011990162]
- F. Letter dated April 19, 1991 [ML011990125]
- G. Letter dated September 16 1997 [ML011990106]
- H. Letter dated March 20, 2001 [ML010820101]
- I. Letter dated November 19, 2001 [ML013300505]
- J. Letter dated July 8, 2009 [ML091950145]

For the U.S. Nuclear Regulatory Commission

Date August 10, 2010

By

***Original signed by Steve Courtemanche***

Steve Courtemanche  
Commercial and R&D Branch  
Division of Nuclear Materials Safety  
Region I  
King of Prussia, Pennsylvania 19406

Tuesday, August 10, 2010 14:06:08

This is to acknowledge the receipt of your letter application dated

6/15/2011, and to inform you that the initial processing which includes an administrative review has been performed.

☒ RENEWAL 39-19399-02  
There were no administrative omissions. Your application was assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information.

☐ Please provide to this office within 30 days of your receipt of this card

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A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned **Mail Control Number** 575410.  
When calling to inquire about this action, please refer to this control number.  
You may call us on (610) 337-5398, or 337-5260.