

U.S. NUCLEAR REGULATORY COMMISSION

**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 style="text-align: center;">Licensee</p> <p>1. The Tomayko Group, L.L.C</p> <p>2. 110 Merchant Lane, Suite C Pittsburgh, Pennsylvania 15205</p>	<p>In accordance with the letter dated June 5, 2012,</p> <p>3. License number 37-28520-01 is amended in its entirety to read as follows:</p> <hr/> <p>4. Expiration date January 31, 2016</p> <hr/> <p>5. Docket No. 030-31697 Reference No.</p>	
<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Any byproduct material permitted by 10 CFR 35.100</p> <p>B. Any byproduct material permitted by 10 CFR 35.200</p>	<p>7. Chemical and/or physical form</p> <p>A. Any</p> <p>B. Any</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. As needed</p> <p>B. As needed</p>
<p>9. Authorized use:</p> <p>A. Any uptake, dilution and excretion study permitted by 10 CFR 35.100.</p> <p>B. Any imaging and localization study permitted by 10 CFR 35.200.</p>		

**CONDITIONS**

10. Licensed material may be used or stored incident to mobile nuclear medicine activities at the licensee's facilities located at 1 Amalia Drive, Buckhannon, West Virginia; 528 16<sup>th</sup> Street, #20, Dunbar, West Virginia; 50 Timber Lane, South Burlington, Vermont; and may be used or stored at 3701 MacCorkle Avenue, SE, Charleston, West Virginia, 800 Grand Central Mall, Suite 4, Vienna, West Virginia, and at temporary job sites of the licensee anywhere in the United States where the U.S. Nuclear Regulatory Commission maintains jurisdiction for regulating the use of licensed material, including areas of exclusive Federal jurisdiction within Agreement States.

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.

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SUPPLEMENTARY SHEET  
CORRECTED COPY**

License Number  
37-28520-01

Docket or Reference Number  
030-31697

Amendment No. 44

11. The Radiation Safety Officer for this license is Mark Perna, M.S., DABR.
12. Licensed material is only authorized for use by, or under the supervision of:
- A. Individuals permitted to work as an authorized user in accordance with 10 CFR 35.13 and 35.14.
- B. The following individuals are authorized users for medical use as indicated:

<u>Authorized Users</u>	<u>Material and Use</u>
G. David Burtner, M.D.	35.100; 35.200
Charles Crispino, M.D.	35.200
David C. Rosiello, M.D.	35.100; 35.200
Mark Younis, M.D.	35.100; 35.200
Yaser Kalash, M.D.	35.200
Steffen Hillemann, M.D.	35.200
Janet Kirwan, M.D.	35.200
Jeffrey Monoman, M.D.	35.100; 35.200
Kenneth T. Miller, M.D.	35.100; 35.200
W. Michael Hensley, M.D.	35.100; 35.200
Bernard O. Garrett, D.O.	35.100; 35.200
Terry C. Shank, M.D.	35.100; 35.200
Craig A. Chambers, D.O.	35.100; 35.200

13. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of licensed material to quantities below the minimum limit specified in 10 CFR 30.35(d) for establishing decommissioning financial assurance.
14. The licensee is authorized to transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."

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15. 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. This license condition applies only to those procedures that are required to be submitted in accordance with the regulations. Additionally, this license condition does not limit the licensee's ability to make changes to the radiation protection program as provided for in 10 CFR 35.26. 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.

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|----|----------------------------------|---------------|
| A. | Application dated August 1, 2005 | [ML052240177] |
| B. | Letter dated August 22, 2005     | [ML052350847] |
| C. | Letter dated November 28, 2005   | [ML053420211] |
| D. | Letter dated February 3, 2006    | [ML060370541] |
| E. | Letter dated April 23, 2007      | [ML071160460] |
| F. | Letter dated June 7, 2007        | [ML071630066] |
| G. | Letter dated March 8, 2011       | [ML110680307] |
| H. | Letter dated March 16, 2011      | [ML110770474] |
| I. | Agreement dated March 21, 2011   | [ML110820281] |
| J. | Letter dated May 26, 2011        | [ML111470575] |
| K. | Letter dated February 27, 2012   | [ML12062A085] |
| L. | Letter dated June 5, 2012        | [ML12167A362] |

For the U.S. Nuclear Regulatory Commission

Date July 6, 2012

By

***Original signed by Tara L. Weidner***

Tara L. Weidner  
Medical Branch  
Division of Nuclear Materials Safety  
Region I  
King of Prussia, Pennsylvania 19406