

**CORRECTED COPY Duplicate MATERIALS LICENSE Duplicate**

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. Megarad, Inc.	3. License number 31-30746-01
2. 417 East 64 <sup>th</sup> Street New York, New York 10021	4. Expiration date March 31, 2009
	5. Docket No. 030-36064 Reference No. 06-30423-01/030-34615

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. See Condition 10	A. Sealed sources	A. See Condition 10
B. Uranium, Natural or Depleted	B. Shielding material	B. 999 kilograms

9. Authorized use:
A. Industrial radiography; underwater radiography in accordance with License Condition 17.
B. Shielding for radiographic equipment.

**CONDITIONS**

10. Sealed sources, exposure devices, and source changers authorized for use are as follows:

Isotope	Manufacturer & Model No. of Source Assemblies	Maximum Activity per Source	Manufacturer & Model No. of Exposure Devices	Manufacturer & Model No. of Source Changers
Ir-192	Amersham Model 86520	240	Amersham Model 865	Source exchange must be performed by manufacturer

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11. A. Licensed material may be used only 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 provided the following commitments are completed.

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.

- B. Prior to the performance of licensed activities at temporary job sites in NRC jurisdiction:
- i. the NRC must receive written notification at least 7 days in advance of the commencement of work; and
  - ii. licensed activities cannot commence until the NRC has given written approval to do so.
12. A. Prior to receipt of licensed material, the NRC must receive written notification of your intent to possess licensed material and approve a storage location. If the storage location will be in NRC jurisdiction, the licensee must amend this license to specifically identify the place of storage; provided the place of storage is not occupied by another licensee. **If the storage location is in an Agreement State, the licensee shall notify the Agreement State of their intent to store licensed material and meet any requirements imposed by the Agreement State.**
- B. If licensed material will be stored at another licensed facility:
- i. the licensed material shall be transferred to and stored in accordance with the requirements of the licensed facility; and
  - ii. a written contractual agreement signed by both parties shall be furnished to the NRC. This written contractual agreement shall state that licensed material will only be transferred to and used under this license for the purpose of performing licensed activities at an approved temporary job site in accordance with Condition 11 of this license.
13. If you do not possess licensed material for a period of 24 consecutive months, you shall notify the NRC of your intention to decommission and terminate your license in accordance with 10 CFR 30.36(d).

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14. Licensed material shall be used by, or under the supervision and in the physical presence of individuals who have been designated in writing by the Radiation Safety Officer and have been trained:
- A. As specified in the application dated December 22, 1997 and the letters dated May 18, 1998 and July 9, 1998; and
- B. In accordance with the provisions of 10 CFR 34.43.
15. The Radiation Safety Officer for this license is Garry L. Balestracci.
16. 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), 40.36(b), and 70.25(d) for establishing decommissioning financial assurance.
17. In order to conduct underwater radiography, the licensee must submit and have approved procedures in accordance with 10 CFR 34.41(c).
18. Notwithstanding the periodic leak test required by 10 CFR 34.27(c)(1) and (e), the requirement does not apply to radiography sources that are stored and not being used. The sources excepted from this test shall be tested for leakage before use or transfer to another person. No sealed source shall be stored for a period of more than 3 years without being tested for leakage and/or contamination.
19. Sealed sources containing licensed material shall not be opened or sources removed from source holders by the licensee.
20. 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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21. 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 22, 1997
- B. Letter dated May 18, 1998
- C. Letter dated July 9, 1998
- D. Facsimile dated November 24, 1998
- E. Letter dated February 18, 1999



For the U.S. Nuclear Regulatory Commission

*Original signed by John D. Kinneman*

Date January 14, 2003

By \_\_\_\_\_

John D. Kinneman, Chief  
Nuclear Materials Safety Branch 2  
Division of Nuclear Materials Safety  
Region I  
King of Prussia, Pennsylvania 19406

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For the U.S. Nuclear Regulatory Commission

*Original signed by John D. Kinneman*

Date January 6, 2003

By \_\_\_\_\_  
 John D. Kinneman, Chief  
 Nuclear Materials Safety Branch 2  
 Division of Nuclear Materials Safety  
 Region I  
 King of Prussia, Pennsylvania 19406

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# Memo

**To:** File [To]  
**From:** R. H. Ladun [From]  
**Date:** January 26, 2004 [Date]  
**Subject:** Telephone Inquiry

**Discussions with the RSO indicated that the licensee has never possesses RAM. Also they do not have a physical facility for the storage of RAM. Consequently, no inspection was conducted.** [Subject]

This is the body of the memo.