

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>Licensee</p> <p>1. Morpho Detection, Inc.</p> <p>2. 205 Lowell Street Wilmington, Massachusetts 01887</p>	<p>In accordance with the letter dated November 1, 2012</p> <p>3. License number 20-23904-01E is amended in its entirety to read as follows:</p> <hr/> <p>4. Expiration date August 31, 2014</p> <hr/> <p>5. Docket No. 030-36457 Reference No.</p>
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<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Nickel-63</p>	<p>7. Chemical and/or physical form</p> <p>A. Foil sources (Isotope Products Laboratories Model NER-004)</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. Not applicable (See Condition 11)</p>
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9. Authorized use:

Pursuant to 10 CFR 32.26, "Gas and aerosol detectors containing byproduct material," the licensee is authorized to distribute the devices manufactured in accordance with NRC Registration No. NR-0399-D-101-E containing sealed sources as specified in Condition 10 of this license to persons exempt from the requirements for a license pursuant to 10 CFR Part 30.20, or equivalent provisions of the regulations of any Agreement State.

**CONDITIONS**

10. The following devices may be distributed pursuant to this license provided the amount of Nickel-63 contained in each device does not exceed the amounts specified in the following table:

<u>Device Model</u>	<u>Maximum Quantity Per Device</u>
Entryscan 3, 3e, and 4 Itemiser II, 3, 3e, 3E, FX, FX-KX, HF and DX MobileTrace, MobileTrace DX, and Hardened MobileTrace Vapor Tracer 2 Validator ITMS VTEX,	10 millicuries (370 MBq)

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11. This license does not authorize possession or use of licensed material.
12. The licensee may distribute only from its facilities located at 205 Lowell Street, Wilmington, Massachusetts; 7007 Gateway Boulevard, Newark, California (except Model VTEX); and 7151 Gateway Boulevard, Newark, California.
13. Notwithstanding the requirements of 10 CFR 32.26, the licensee may service devices by removing or replacing detector heads in Model Nos. Entryscan 3, 3e, and 4 ion mobility spectrometer devices at customer sites, and separately shipping the upper cabinet assemblies (containing the fully mounted detector heads) for final assembly at customer sites, provided that:
  - (a) These activities shall be performed in accordance with the licensee's letters dated November 29, 2006 and May 13, 2007, and email dated June 29, 2007; and
  - (b) The licensee shall file reciprocity, in accordance with 10 CFR 150.20 or equivalent Agreement State regulations, with the appropriate regulatory authority for the State in which the customer site is located, before commencing licensed activities authorized by License Condition 13(a).
14. The licensee shall file periodic reports as specified in 10 CFR 32.29.



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15. Except as specifically provided otherwise by 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 15, 2003 (ML033570553);  
B. Registration Certificate, dated August 19, 2004, No. NR-0399-D-101-E (ML042320661);  
C. Letter dated June 14, 2004 (ML052550111);  
D. Letter dated July 2, 2004;  
E. Letter dated July 9, 2004 (ML052550119);  
F. Application dated September 29, 2004 (ML042940213);  
G. Facsimile dated December 20, 2004 (ML050110407);  
H. Application dated June 13, 2005 (ML051820231);  
I. Application dated July 25, 2005 (ML060540474);  
J. Letter dated October 13, 2005 (ML060540469);  
K. E-mail dated November 9, 2005 (ML060540464);  
L. Letter dated December 9, 2005 (ML062280236);  
M. Two letters dated March 31, 2006 (ML062280229 and ML062280223);  
N. Letter dated July 6, 2006 (ML062280216);  
O. Email dated July 28, 2006 (ML062280198);  
P. Two emails dated August 8, 2006 (ML062280185 and ML062280189);  
Q. Letter dated November 29, 2006 (ML063400396);  
R. Email dated February 20, 2007;  
S. Email dated February 26, 2007;  
T. Letter dated May 13, 2007 (ML072420554);  
U. Email dated May 31, 2007;  
V. Email dated June 12, 2007 (ML072420551);  
W. Email dated June 21, 2007 (ML072420546);  
X. Email dated June 29, 2007 (ML072420537);  
Y. Email dated May 21, 2008;  
Z. Email dated August 14, 2008;  
AA. Email dated September 12, 2008;  
AB. Letter dated June 19, 2009 (ML092030006);  
AC. Letter dated July 8, 2009;  
AD. Letter dated July 14, 2009 (ML092030015);  
AE. Letter dated October 22, 2009 (ML093090112);  
AF. Letter dated January 6, 2010 (ML100130011);  
AG. Letter dated April 27, 2010 (ML101270245);  
AH. Letter dated March 1, 2011 (ML110691294);  
AI. Letter dated November 1, 2012 (ML12307A260).

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FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date March 14, 2013

By /RA/

Shirley S. Xu  
Licensing Branch  
Division of Materials Safety and State Agreements  
Office of Federal and State Materials and  
Environmental Management Programs  
Washington, DC 20555