

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. U.S. Environmental Protection Agency</p> <p>2. 109 T.W. Alexander Drive Mail Code D343-2 Research Triangle Park, North Carolina 27711</p>	<p>In accordance with the application dated February 28, 2014,</p> <p>3. License number 32-14048-04 is amended in its entirety to read as follows:</p> <hr/> <p>4. Expiration date July 31, 2024</p> <hr/> <p>5. Docket No. 030-08631 Reference No.</p>
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<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Any byproduct material with atomic numbers 1 through 83, except as specified below</p> <p>B. Hydrogen 3</p> <p>C. Carbon 14</p> <p>D. Phosphorus 32</p> <p>E. Any byproduct material defined in 10 CFR 40.4 (see also paragraph 11.e(2) of the Atomic Energy Act)</p> <p>F. Americium 241</p> <p>G. 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. Mill tailings</p> <p>F. Calibration solution</p> <p>G. Foils and plated sources (IPL Model Custom Plated Source; Eckert &amp; Zeigler Model NER-004P, AEA Technology Model Custom Plated Source; QSA Global Model NBCD)</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. 50 millicuries per radionuclide and 5 curies total</p> <p>B. 250 millicuries</p> <p>C. 250 millicuries</p> <p>D. 250 millicuries</p> <p>E. 75 kilograms</p> <p>F. 10 microcuries</p> <p>G. 18 millicuries per radionuclide and 1 curie total</p>
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9. Authorized use:
- A. through E. Research and development as defined in 10 CFR 30.4; animal studies.
  - F. Calibration and checking of the licensee's instruments.

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- G. To be used for sample analysis in Agilent Technologies Model Nos. 19235 and G1224A gas chromatography devices that have been registered either with the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or with an Agreement State and have been distributed in accordance with a Commission or Agreement State specific license authorizing distribution to persons specifically authorized by a Commission or Agreement State license to receive, possess, and use the devices.

**CONDITIONS**

10. Licensed material may be used or stored at the licensee's facilities located at:
- A. 2525 Highway NC 54, Durham, North Carolina;
  - B. 4930 Page Road (I-40 and Page Road), Durham, North Carolina;
  - C. 104 Mason Farm Road, Chapel Hill, North Carolina;
  - D. 109 T.W. Alexander Drive, Research Triangle Park, North Carolina;
  - E. Buildings 106 and 108, 111 T.W. Alexander Drive, Research Triangle Park, North Carolina; and
  - F. Licensed material specified in Subitem 6.G. may also be used at temporary job sites of the licensee anywhere in the United States.
11. A. Licensed material shall only be used by, or under the supervision of, individuals designated, in writing, by the Radiation Safety Committee. The licensee shall maintain records of individuals designated as users for 3 years following the last use of licensed material by the individual.
- B. The Radiation Safety Officer for this license is Todd W. Baker.
12. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of unsealed byproduct material to quantities less than  $10^5$  of the applicable limits in Appendix B of 10 CFR Part 30, as specified in 10 CFR 30.35(d).
13. The licensee shall not use licensed material in or on human beings.
14. The licensee shall not use licensed material in field applications where it is released except as provided otherwise by specific condition of this license.
15. Experimental animals, or the products from experimental animals, that have been administered licensed materials shall not be used for human consumption.
16. This license does not authorize commercial distribution of licensed material.
17. 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.

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- B. Notwithstanding Paragraph A of this Condition, sealed sources designed to primarily emit alpha particles shall be tested for leakage and/or contamination at intervals not to exceed 3 months.
- C. 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.
- D. 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.
- E. 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.
- F. 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.
- G. 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.
- H. Records of leak test results shall be kept in units of microcuries and shall be maintained for 5 years.
18. Sealed sources or detector cells containing licensed material shall not be opened or sources removed from source holders by the licensee.
19. 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.

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20. 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.
21. Pursuant to 10 CFR 20.1302(c) and 10 CFR 20.2002, the licensee is authorized to dispose of licensed material by incineration, provided the gaseous effluent from incineration does not exceed the limits specified for air in Appendix B, Table II, 10 CFR Part 20.
22. Pursuant to 10 CFR 20.2002 and 20.2004, the licensee is authorized to dispose of licensed material by incineration provided the gaseous effluent from incineration does not exceed the limits specified for air in Appendix B, Table 2, Column 1, 10 CFR Part 20. Ash residues may be disposed of as ordinary waste provided appropriate surveys pursuant to 10 CFR 10.2002 are made to determine that concentrations of licensed materials appearing in the ash residues do not exceed the concentrations (in terms of microcuries per gram) specified for water in Appendix B, Table 2, column 2, 10 CFR Part 20.
23. 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:
- 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
  - 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
  - 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.
24. The licensee is authorized to transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
25. Notwithstanding the requirements of License Condition 26, the licensee is authorized to make program changes and changes to procedures specifically identified in the condition, which were previously approved by the U.S. Nuclear Regulatory Commission and incorporated into the license without prior Commission approval as long as:
- The proposed revision is documented, reviewed, and approved by the licensee's Radiation Safety Committee in accordance with established procedures prior to implementation.
  - The revised program is in accordance with regulatory requirements, will not change the license conditions, and will not decrease the effectiveness of the Radiation Safety Program.

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- C. The licensee's staff is trained in the revised procedures prior to implementation.
- D. The licensee's audit program evaluates the effectiveness of the change and its implementation.
26. 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 February 28, 2014 (ML14086A177)
- B. Letter dated June 19, 2014 (ML14184B307)



For the U.S. Nuclear Regulatory Commission

Date July 23, 2014

By

***Original signed by Dennis R. Lawyer***

Dennis R. Lawyer  
Commercial, Industrial, R&D and Academic Branch  
Division of Nuclear Materials Safety  
Region I  
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