U.S. NUCLEAR REGULATORY COMMISSION **Amendment No. 01**

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.

Licensee	In accordance with letter dated **May 12, 2014,**
1. ViewRay Incorporated	3. License number 34-35077-01 is amended in its entirety to read as follows:
2. 2 Thermo Fisher Way Oakwood Village, OH 44146-6536	4. Expiration date August 31, 2023
	5. Docket No. 030-38654 Reference No.

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. Cobalt-60	A. Sealed source (Best Theratronics Model C-146)	A. Not Applicable (See License Condition 10)
B. Cobalt-60	B. Analytical samples	B. 1 millicurie
C. Depleted Uranium	C. Solid metal	C. Not Applicable (See License Condition 10)

9. Authorized Use:

A. For use incident to the following services:

1. Installation, testing, removal and repair of non-radioactive components of the ViewRay System.
2. Routine and non-routine maintenance of the ViewRay System.
3. Customer training and instruction on the ViewRay System.

B. For possession incident to the performance of test for leakage on customers sealed sources as a commercial service. Analyses of leak tests samples shall be performed by the licensee or persons specifically licensed by the U.S. Nuclear Regulatory Commission or an Agreement State to perform such services.

C. For use incident to installation and removal of depleted uranium heads as stated in letter dated May 28, 2013.

CONDITIONS

10. A. The licensee does not take possession of the radioactive material(s) and/or source(s) while at the clients facility except for analytical samples.

B. Licensed material shall 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

MATERIALS LICENSE
SUPPLEMENTARY SHEET

License Number
34-35077-01

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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.

11. A. Licensed materials shall be used by, or under the supervision of David Breuning, Thomas Chmielewski, Brian Cohen, James Dempsey, Timothy Gacek, Sireesha Gogineni, Kevin Gollon, Kris La Fontaine, Armin Langenegger, Frank Lombardo, Chris Mahaffey, Viral Patel, Lasitha Senadheera, Amit Sharma, James (Vito) Victoria, Craig Woodworth, James Flock, Seth Ankrah, Roger Nana, and **Rajiv Lotey, David Holloway, De Lee Holt, John Ryan, Nathan Cavanagh, and Andrew Cone.**

B. The Radiation Safety Officer for this license is David Breuning.

12. Sealed sources containing licensed material shall not be opened or sources removed from source holders by the licensee.

13. The licensee shall not acquire licensed material in a sealed source or device that contains a sealed source unless the source or device has been registered with the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or with an Agreement State.

14. The licensee is authorized to transport licensed material only in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."

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. The 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 28, 2013; and

B. Letters dated May 28, 2013 (faxed August 1, 2013), and **May 12, 2014**.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date AUG 14 2014

By _____
Cassandra F. Frazier
Materials Licensing Branch
Region III