



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, ILLINOIS 60532-4352

MAR 26 2015

Dr. Terry Grimm
President and Senior Scientist
Niowave, Inc.
1012 North Walnut Street
Lansing, MI 48906

Dear Dr. Grimm :

Enclosed is your NRC Material License No. 21-35144-02 in accordance with your request. Please note that based on commitments you made in documentation tied down in License Condition 18, the license is limited to research and development (excluding separation, synthesis, and processing of radionuclides), and possession and storage of byproduct material incidental to target activation.

Please note that we have not approved Ms. Amanda Grimm as an authorized user at this time. In an e-mail dated July 23, 2014, we provided a summary of additional information that Niowave, Inc. would need to submit in order for the NRC to complete a comprehensive review of your request for a new NRC license. One of the items included in the e-mail pertained to Ms. Grimms' training and experience in handling and using radioactive materials and didactic training in radiation safety related topics.

A subsequent request for additional information about Ms. Grimm's training and experience was documented during a telephone conversation on November 26, 2014, and transmitted to Mr. Erik Maddock. Additional information was included in Niowave's resubmitted application dated February 11, 2015. However, not enough detail was provided relative to the number of hours of didactic training that Ms. Grimm had received. In addition, there was no description of the direct experience that Ms. Grimm had obtained in handling radioactive materials of the types that are listed on Niowave's license.

Ms. Grimm may continue to handle and use licensed material under the supervision an individual named in License Condition 12. You may request that Ms. Grimm be named as an authorized user at a later date after she has gained additional training and experience in handling and using licensed material.

Please also note the addition of License Condition 17, which requires that Niowave, Inc. restrict its overall possession of license material described in Item 8 of the license to levels at or below the specific levels defined in Section 30.35 of 10 CFR Part 30, for decommissioning financial assurance (DFA). For a combination of radionuclides, this condition requires that Niowave, Inc. restrict its possession to levels that do not exceed the DFA threshold value for 225,000 dollars.

Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region III office at (630) 829-9887 so that we can provide appropriate corrections and answers. Please be advised that your license expires at the end of the day, in the month, and year stated in the license. Unless your license has been terminated, you must conduct your program involving byproduct materials in accordance with the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate in accordance with NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers; Inspections," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Notify NRC, in writing, within 30 days:
 - a. When the Radiation Safety Officer permanently discontinues performance of duties under the license or has a name change; or
 - b. When the mailing address listed on the license changes.
3. In accordance with 10 CFR 30.36(d) and/or license condition, notify NRC, promptly, in writing, and request termination of the license:
 - a. When you decide to terminate all activities involving materials authorized under the license; or
 - b. If you decide not to complete the facility, acquire equipment, or possess and use authorized material.
4. Request and obtain a license amendment before you:
 - a. Order byproduct material in excess of the amount, or radionuclide, or form different than authorized on the license;
 - b. Add or change the areas of use or address or addresses of use identified in the license application or on the license; or
 - c. Change ownership of your organization.

You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you. This could include issuance of a notice of violation, or imposition of a civil penalty, or an order suspending, modifying or revoking your license as specified in the General Statement of Policy and Procedure for NRC Enforcement Actions.

Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken when dealing with licensees who do not achieve the necessary meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency's *expectations* for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web site at http://www.nrc.gov/about-nrc/regulatory/enforcement/safety_culture.html. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

In accordance with 10 Code of Federal Regulations 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,



Kevin G. Null
Materials Licensing Branch

License No. 21-35144-02
Docket No. 030-38770

Enclosures: 1. License No. 21-35144-02
2. New License Package