

**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, 37, 39, 40, 70 and 71, 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. The Tomayko Group, L.L.C  2. 2403 Sidney Street, Suite 220B Pittsburgh, PA 15203	In accordance with letter dated June 14, 2019.	4. Expiration Date: June 30, 2026
	3. License number: 37-28520-01 is amended in its entirety to read as follows:	5. Docket No.: 030-31697 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	9. Authorized use
A. Any byproduct material permitted by 10 CFR 35.100	A. Any	A. As Needed	A. For use in uptake, dilution and excretion studies permitted by 10 CFR 35.100.
B. Any byproduct material permitted by 10 CFR 35.200	B. Any	B. As Needed	B. For use in imaging and localization studies permitted by 10 CFR 35.200.

**CONDITIONS**

10. Licensed material may be used or stored incident to mobile nuclear medicine activities at the licensee's facilities located at 1 Hospital Drive, Grafton, West Virginia; 1 Amalia Drive, Buckhannon, West Virginia; 50 Timber Lane, South Burlington, Vermont; 3701 MacCorkle Avenue, SE, Charleston, West Virginia; 324 Miller Mountain Road, Webster Springs, West Virginia; and 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.

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SUPPLEMENTARY SHEET**

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37-28520-01

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Amendment No. 52

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. The Radiation Safety Officer for this license is Mark Perna, M.S. DABR
12. Licensed material shall only be used by, or under the supervision of:
- A. Individuals permitted to work as authorized users in accordance with 10 CFR 35.13 and 10 CFR 35.14.
- B. The following individuals are authorized users for the material and medical uses as indicated:
- | <u>Authorized User(M.D.,D.O.,etc.)</u> | <u>Material and Use</u>     |
|--|-----------------------------|
| Richard R. Black, D.O.                 | 10 CFR 35.200               |
| G. David Burtner, M.D                  | 10 CFR 35.100,10 CFR 35.200 |
| Steffen Hillemann, M.D.                | 10 CFR 35.200               |
| Janet Kirwan, M.D.                     | 10 CFR 35.200               |
| David C. Rosiello, M.D.                | 10 CFR 35.100,10 CFR 35.200 |
| Mark Younis, M.D.                      | 10 CFR 35.100,10 CFR 35.200 |
13. 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) for establishing decommissioning financial assurance.

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14. 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. This license condition applies only to those procedures that are required to be submitted in accordance with the regulations. Additionally, this license condition does not limit the licensee's ability to make changes to the radiation protection program as provided for in 10 CFR 35.26. 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 November 17, 2015 [ML16011A131]
  - B. Letter dated March 10, 2016 [ML16111B175]
  - C. Letter dated October 31, 2017 [ML17326A224]
  - D. Letter dated October 9, 2018 [ML18292A678]
  - E. Letter dated June 14, 2019 [ML19178A309]



FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date: August 13, 2019By: Robin ElliottRobin Elliott  
Region 1