

MATERIALS LICENSE

ant 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. Department of the Army Commander, Headquarters</p> <p>2. U.S. Army Industrial Operations Command ATTN: AMSIO-SF Rock Island, IL 61299-6000</p>	<p>In accordance with the letter dated October 20, 1999</p> <p>3. License number 12-00722-07 is amended in its entirety to read as follows:</p> <p>4. Expiration date April 30, 2007</p> <p>5. Docket No. 030-14796 Reference No.</p>
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<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Promethium-147</p>	<p>7. Chemical and/or physical form</p> <p>A. Radioactive material as ceramic microspheres (3M Company) sealed in sights of military rocket weapons systems</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. 10,000 curies. (No single source to exceed 3 millicuries)</p>
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9. Authorized Use:

A. For receipt, possession, storage, transfer to authorized recipients within the Department of Defense, and use in the sighting mechanism of military rocket systems.

CONDITIONS

- 10. Licensed material may be used anywhere in the United States.
 - 11. Licensed material shall be used by, or under the supervision of, individuals who have completed the training outlined in applications dated March 28, 1995, and April 10, 1997, and have been appointed by the installation Radiation Protection Officers.
 - 12. A. The Radiation Safety Officer for this license is Mr. Kelly W. Crooks.
 - B. The Alternate Radiation Safety Officers are Gary W. Buckrop and Paul Grooms.
13. 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."

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**License Number
12-00722-07Docket or Reference Number
030-14796

Amendment No. 24

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. 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 March 28, 1995; and
- B. Letters dated July 31, 1995, April 10, 1997, April 21, 1997, December 24, 1997, October 1, 1998 (with enclosure), October 19, 1998 (with enclosure) and October 20, 1999.



FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date DEC 10 1999

By

Loren J. Hueter
Materials Licensing Branch
Region III



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351

DEC 10 1999

Rosalene E. Graham, Chief
Safety/Rad waste Team
U.S. Army Industrial Operations Command
Department of the Army
ATTN: AMSIO-SF
Rock Island, IL 61299-6000

Dear Ms. Graham:

Enclosed is Amendment No. 24 to your NRC Material License No. 12-00722-07 in accordance with your request. Please note that the changes made to your license are printed in **bold font**.

Please note that the NRC regulations in Title 10 Code of Federal Regulations, (10 CFR) Part 20.1903(c) states that "a room or area is not required to be posted with a caution sign because of the presence of a sealed source provided the radiation level at 30 centimeters from the surface of the source container or housing does not exceed 0.005 rem (0.05 mSv) per hour." It certainly appears that this regulation would preclude the need for posting a room or area where sealed sources of Promethium-147 possessed under this license are present.

Also, please note that it is NRC policy to exclude sealed sources from the requirement to be leak tested if they contain not more than 100 microcuries of beta and/or gamma emitting material. Since information you submitted indicates that the nominal three millicurie sealed sources of Promethium-147 covered by this license were last manufactured prior to July 1, 1975, the residual activity of these beta emitting sealed sources should now be less than 5 microcuries, based on the 2.62 year radioactive half life of Promethium-147. Accordingly, these sources would no longer be required to be leak tested.

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 an authorized user or 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. (No fee is required if the location of byproduct material remains the same.)
3. In accordance with 10 CFR 30.36(b) and/or license condition, notify NRC, promptly, in writing, and request termination of the license when you decide to terminate all activities involving materials authorized under the license.
4. Request and obtain a license amendment before you:
 - a. Receive or use byproduct material for a clinical procedure permitted under Part 35 but not permitted by your license issued pursuant to this Part;
 - b. Permit anyone, except individuals described in 10 CFR 35.13(b), to work as an authorized user under the license;
 - c. Change Radiation Safety Officers;
 - d. Order byproduct material in excess of the amount, or radionuclide, or form different than authorized on the license;
 - e. Add or change the areas of use or address or addresses of use identified in the license application or on the license; or
 - f. Change ownership of your organization.
5. Submit a complete renewal application with proper fee or termination request at least 30 days before the expiration date of your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of byproduct material after your license expires is a violation of NRC regulations. A license will not normally be renewed, except on a case-by-case basis, in instances where licensed material has never been possessed or used.

In addition, please note that NRC Form 313 requires the applicant, by his/her signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of the applicant's knowledge. The signatory for the application should be the licensee or certifying official rather than a consultant.

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.

Sincerely,



Loren J. Hueter
Materials Licensing Branch

License No. 12-00722-07
Docket No. 030-14796

Enclosure: Amendment No. 24



DEPARTMENT OF THE ARMY
HEADQUARTERS, U.S. ARMY INDUSTRIAL OPERATIONS COMMAND
ROCK ISLAND, ILLINOIS 61299-6000

October 20, 1999

REPLY TO
ATTENTION OF

Safety/Radioactive Waste Team

Administrator
Nuclear Regulatory Commission, Region III
Materials Licensing Branch
801 Warrenville Road
Lisle, Illinois 60532-4351

Dear Sir,

We request you amend our license, number BML 1200722-07, which covers promethium-147 in Light Anti-tank Weapons, to remove the requirement for posting. We also request removal of the requirement to leak test the sealed sources and removal of the annual wipe test survey requirement. The four enclosures contain our rationale for the requests.

The points of contact are Mr. Kelly Crooks and Mr. Paul Grooms. Their telephone numbers are (309) 782-0338 and (309) 782-2976, respectively, electronic mail address amsio-sf@ioc.army.mil.

A handwritten signature in cursive script that reads "Rosalene E. Graham".

Rosalene E. Graham
Chief, Safety/Rad Waste Team

Enclosures