

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.

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<p>Licensee</p> <p>1. Positron Corporation</p> <p>2. 9715 Kincaid Drive Suite 1000 Fishers, IN 46038</p>	<p>In accordance with letter dated June 26, 2012,</p> <p>3. License number 13-32765-01 is amended in its entirety to read as follows:</p> <p>4. Expiration date December 31, 2019</p> <p>5. Docket No. 030-38150 Reference No.</p>
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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. Flourine-18	A. Any	A. 1000 millicuries
B. Gallium-67	B. Any	B. 50 millicuries
C. Strontium-82	C. Any	C. 200 millicuries
D. Ribidium-82	D. Any	D. 200 millicuries
E. Strontium-85	E. Any	E. 1000 millicuries
F. Molybdenum-99	F. Any	F. 25 curies
G. Technetium-99m	G. Any	G. 25 curies
H. Thallium-201	H. Any	H. 100 millicuries
I. Cobalt-57	I. Sealed sources (IPL and Isotopes Products Cesio Model PHI-XXXG GFS series A3201; International Isotopes Idaho Model BM06E &S series)	I. 11 millicuries each for a total of 50 millicuries
J. Colbalt-57	J. Sealed sources (Eckert & Ziegler Isotope Products Model NES Flood series; International Isotopes Model BM04 series)	J. 15 millicuries each for a total of 50 millicuries

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K. Germanium-68	K. Sealed source (Sanders Medical Products Model PET-XXX/YY; International Isotopes Idaho, Inc. Models BM06E & S series)	K. 1000 millicuries
L. Americium-241	L. Sealed source (IPL and Isotope Products Cesio Models PHI-XXX GFS Series or Am1.G10)	L. 10 millicuries
M. Cesium-137	M. Sealed source (Isotope Products Laboratories Model GF-XXX Type R series; International Isotopes Idaho, Inc. Model BM06S series)	M. 1 millicurie
N. Indium-111	N. Liquid	N. 500 millicuries
O. Barium-133	O. Sealed source (International Isotopes Idaho, Inc. Model BM06E-33)	O. 600 microcuries

9. Authorized Use:

- A. through L and N. Research and Development as defined by 10 CFR 30.4
- M. For calibration of the licensee's instruments
- O. For research and development as defined by 10 CFR 30.4 and for calibrating test equipment.

CONDITIONS

- 10. Licensed material shall be used only at the licensee's facilities located at 9715 Kincaid, Fishers, Indiana.
- 11. A. Licensed materials shall be used by, or under the supervision of Lawrence R. Pitt and Nicholas Overman
- B. The Radiation Safety Officer for this license is Lawrence R. Pitt.

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12. Licensed material shall not be used in or on humans except as provided otherwise by specific condition of this license.
13. The licensee shall not use licensed material in field applications where activity is release except as provided otherwise by specific condition of this license.
14. The licensee shall conduct a physical inventory every 6 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.
15. Sealed sources containing licensed material shall not be opened or sources removed from source holders by the licensee.
16. 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.
17.
 - A. Sealed sources shall be tested for leakage and/or contamination at intervals not to exceed 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.
 - B. 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.
 - C. Sealed sources need not be leak 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 no more than 100 microcuries of beta and/or gamma emitting material or not more than 10 microcuries of alpha emitting material.
 - D. 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.
 - E. 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.

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- F. Tests for leakage and/or contamination shall be performed by persons specifically licensed by the U.S. Nuclear Regulatory Commission or an Agreement State to perform such services. In addition, the licensee is authorized to collect leak test samples for analysis by persons specifically licensed by the Commission or an Agreement State to perform such services.
- G. Records of leak test results shall be kept in units of microcuries and shall be maintained for 3 years.
18. 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."
19. 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.
20. Calibration of survey instruments shall be performed by persons specifically licensed by the Commission or an Agreement State to perform such services.
21. The licensee is authorized to hold radioactive material with a physical half-life of less than 120 days for decay-in-storage before disposal in ordinary trash provided:
- A. Before disposal as ordinary trash, byproduct material shall be surveyed at the container surface with the appropriate survey meter set on its most sensitive scale and with no interposed shielding to determine that its radioactivity cannot be distinguished from background. All radiation labels shall be removed or obliterated.
- B. A record of each disposal permitted under this License Condition shall be retained for three years. The record must include the date of disposal, the date on which the byproduct material was placed in storage, the radionuclides disposed, the survey instrument used, the background dose rate, the dose rate measured at the surface of each waste container, and the name of the individual who performed the disposal.

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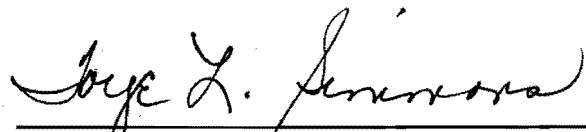
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22. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. The Nuclear 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 September 14, 2009; and
 - B. Facsimile dated October 30, 2009; and
 - C. Letters dated November 5, 2010, December 19, 2011, February 13, 2012, March 6, 2012, **June 26, 2012**; and
 - D. Letter received September 15, 2011

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date SEP 12 2012

By



Toye L. Simmons
Materials Licensing Branch
Region III