



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555 - 0001

November 21, 2007

International Isotopes Inc.
ATTN: John J. Miller, CHP
Radiation Safety Officer
4137 Commerce Circle
Idaho Falls, ID 83401

SUBJECT: NEW LICENSE NO. 11-27680-02E, DOCKET NO. 030-37557,
MAIL CONTROL NO. 022631

Dear Mr. Miller:

Enclosed find U. S. Nuclear Regulatory Commission (NRC) exempt distribution License No. 11-27680-02E.

Please note that you will need to amend your license in order to distribute gemstones made radioactive in an accelerator within the United States to persons exempt after November 30th. Please note that NRC has not made a final determination at this time regarding an energy level below which licensing might not be required.

You should also note, regarding your response to "Information Needed to Support Request for Exemption from Portion 10 CFR 32.11(c)," that although your submission and the supporting attachments continue to reference 2 nCi/gm in developing the dose calculations, we are accepting your rationale for not modifying the calculations at exempt concentration limits by referring to the analysis published in NUREG/CR-5883, "Health Risk Assessment of Irradiated Topaz."

Please review the enclosed licensing document carefully and be sure that you understand all the conditions. If there are any errors or questions, please contact me so that appropriate corrections and answers can be provided.

Please be advised that you must conduct your program involving radioactive materials in accordance with the conditions specified in your NRC license, representations made in your license application, and other rules, regulations, and orders of the U.S. Nuclear Regulatory Commission, now or hereafter in effect, to include the following:

1. Comply with applicable NRC regulations in 10 CFR Part 30, "Rules of General Applicability to Domestic Licensing of Byproduct Material"; 10 CFR Part 32, "Specific Domestic Licenses to Manufacture or Transfer Certain Items Containing Byproduct Material"; and other applicable regulations.
2. Distribute only those products containing radioactive material which are specifically authorized in your license.

3. Notify NRC in writing within 30 days of any change in mailing address.
4. Request and obtain appropriate amendments if you plan to change control or ownership of your organization, change locations of distribution of products containing radioactive material, or make any other changes in your program which are contrary to the license conditions or representations made in your license application and any supplemental correspondence with NRC.
5. Submit a complete renewal application or termination request at least 30 days before the expiration date on your license. You should receive a reminder notice approximately 90 days before the expiration date. Continued distribution of products containing radioactive material after your license expires is a violation of NRC regulations.
6. In accordance with 10 CFR 30.36, request termination of your license if you plan to permanently discontinue activities involving distribution of products containing radioactive material.

You will be periodically inspected by NRC. Failure to conduct your program in compliance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC may result in enforcement action(s) against you. This could include issuance of a notice of violation; proposed imposition of a civil penalty; or an order suspending, modifying, or revoking your license as specified in the "General Statement of Policy and Procedures for NRC Enforcement Actions," (NUREG-1600).

In accordance with 10 CFR 2.390 of NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in NRC's Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

If you have any questions, please contact Bruce Carrico at (301) 415-7826 or by e-mail: www.jbc@nrc.gov.

Sincerely,

/RA/

A. Duncan White, Branch Chief
State Agreements and Industrial
Safety Branch
Division of Materials Safety and
State Agreements
Office of Federal and State Materials and
Environmental Management Programs

Enclosure: License No. 11-27680-02E

DISTRIBUTION:

ML

DOCUMENT NAME: H:\EXEMPT\32.11\CVRLTRS\11-27680-02E International Isotopes Inc.WPD

OFC	SAISB		SAISB	
NAME	JBCarrico		ADWhite	
DATE	11/21/2007		11/21/2007	

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		
1. International Isotopes Inc.		3. License number 11-27680-02E
2. 4137 Commerce Circle Idaho Falls, ID 83401		4. Expiration date November 30, 2017
		5. Docket No. 030-37557 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. Any byproduct material with Atomic Nos. 3 through 92	A. Irradiated processed gemstones	A. Not applicable (See Condition 10)
9. Authorized use:		
A. Pursuant to Section 32.11, 10 CFR Part 32, "Specific Domestic Licenses to Manufacture or Transfer Certain Items Containing Byproduct Material", the licensee is authorized to distribute processed gemstones containing byproduct materials as listed in License Conditions 6 and 7, not to exceed concentrations as specified in 10 CFR 30.70 Schedule A, to persons exempt from licensing pursuant to Section 30.14, 10 CFR Part 30, or equivalent provisions of the regulations of any Agreement State.		

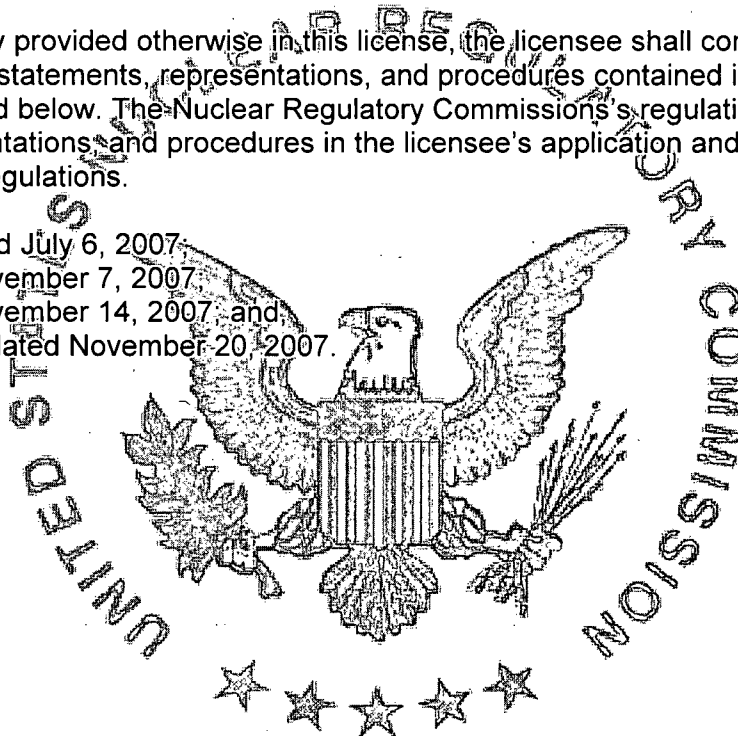
CONDITIONS

10. This license does not authorize possession or use of licensed material.
11. Licensed material shall be distributed only from the licensee's facility located at 4137 Commerce Circle, Idaho Falls, Idaho.
12. The licensee shall submit periodic material transfer reports as specified in Section 32.12, 10 CFR Part 32.
13. Notwithstanding the requirements of Section 32.11(c) of 10 CFR Part 32, the licensee may distribute processed gemstones for the purpose of being worn by human beings.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**License Number
11-27680-02EDocket or Reference Number
030-37557**CONDITIONS**

(Continued)

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 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 July 6, 2007.
 - B. Letter dated November 7, 2007.
 - C. Letter dated November 14, 2007, and
 - D. Electronic mail dated November 20, 2007.



FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date November 21, 2007

By /RA/
J. Bruce Carrico
State Agreements and Industrial
Safety Branch
Division of Materials Safety and
State Agreements
Office of Federal and State Materials and
Environmental Management Programs
Washington, DC 20555