



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

December 8, 2005

Docket Nos. 03004530
03006923
Control Nos. 137660
137661

License Nos. 19-00915-03
19-00915-06

John Surina
Deputy Assistant Secretary for Administration
U.S. Department of Agriculture
1400 Independence Avenue, SW
Washington, DC 20250-0103

SUBJECT: U.S. DEPARTMENT OF AGRICULTURE, REQUEST FOR ADDITIONAL
INFORMATION CONCERNING APPLICATIONS FOR RENEWAL OF
LICENSES, CONTROL NOS. 137660 AND 137661

Dear Mr. Surina:

This is in reference to your application dated August 23, 2005, requesting to renew Nuclear Regulatory Commission License Nos. 19-00915-03, and 19-00915-06. In order to continue our review, we need the following additional information:

1. NRC policy does not permit authorization of unspecified amount (any) of byproduct material that a licensee may possess at any one time. Please specify the maximum amount that you may possess at any one time for the material requested in Item 5.1.A. of your application.
2. You are requesting sealed sources in Items 5.1, sub items .C., D., E., and H., but your application does include the information required in 10 CFR 30.32(g), which states, in part, that an application to use byproduct material in a sealed source or in a device must either identify the source or device by manufacturer and model number as registered with the Commission under 10 CFR 32.210, or with an Agreement State; or contain the information identified in 10 CFR 32.210(c). Please provide the required information for the items listed above.
3. Pursuant to the provisions in 10 CFR 30.11, you may request exemption from the requirements in 10 CFR 30.32(g) if you believe that your licensed activities require flexibility of acquiring sealed sources without having to amend your license to request authorization to acquire sources other than those listed on your license. In support of your request for an exemption from the requirements, you should provide documentation to demonstrate that:
 - a. your licensed activities require flexibility in the types of sealed sources and devices you are authorized to possess and use. You should clearly state if your activities would require only sealed sources which are registered with the NRC or

- an Agreement State, or if you expect to possess and use sealed sources of unknown origin which may not be registered;
- b. have procedures in place to ensure that any sealed source that you acquire under the license is registered with the NRC or an Agreement State, and each sealed source is used in accordance with the provisions in its certificate of registration, and
 - c. your personnel are qualified by sufficient training and experience and have sufficient facilities and equipment to safely use and handle the requested quantity of radioactive material in unsealed form if it is found that the sealed source is unregistered or is damaged. In addition, you should provide any revisions to your application to support your radiation safety program for unregistered or damaged sources, such as revised safe handling procedures, survey procedures, training, facilities and equipment (including instrumentation), waste disposal, etcetera.
4. Please confirm that your review of a request for authorization to use portable nuclear density gauge(s), will ensure that the submitted procedures meet the criteria for respective radiation safety procedures described in NUREG 1556, Volume 1, Revision 1.
 5. Please confirm that your review of a request for authorization to use fixed nuclear gauges, will ensure that the submitted procedures meet the criteria for respective radiation safety procedures described in NUREG 1556, Volume 4.

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, industrial, and academic uses of nuclear material**; then **toolkit index page**. Or you may obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 9:00 p.m. EST, Monday through Friday (except Federal holidays).

We will continue our review upon receipt of this information. Please reply to my attention at the Region I Office and refer to Mail Control Nos. 137660, and 137661. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5364.

In order to continue prompt review of your application, we request that you submit your response to this letter within 30 calendar days from the date of this letter.

Sincerely,

Original signed by Sattar Lodhi, Ph.D.

Sattar Lodhi, Ph.D.
Senior Health Physicist
Materials Security and Industrial Branch
Division of Nuclear Materials Safety

cc:
John T. Jensen, Radiation Safety Officer

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SISP Review Complete: SLodhi

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