



CardinalHealth

CERTIFIED MAIL – Return Receipt

January 29, 2013

**Brian McDermott, Director
Division of Materials Safety and State Agreements
Office of Federal and State Materials and Environmental Management Programs
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001**

RE: Request for Regulatory Interpretation from NRC licensee 34-29200-01MD.

Dear Mr. McDermott:

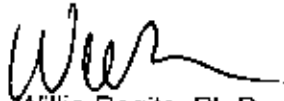
Cardinal Health 414, LLC (Nuclear Pharmacy Services, hereafter Cardinal Health) requests an interpretation by the U.S. Nuclear Regulatory Commission (NRC) of the federal regulation in Title 10, Code of Federal Regulations, Parts 30.18 and 32.18 as it relates to the term "distribution" for exempt quantities of radioactive materials. It has come to the attention of Cardinal Health that there can be different interpretations of the Agreement States for the meaning of the term distribution.

Cardinal Health provides products and services to customers under the provisions of U.S. NRC radioactive materials license number 34-29200-01MD and specific licenses in 34 Agreement States and internationally. For more than 30 years, Cardinal Health has provided customer services, including possession of sealed sources exempt from licensing which are used for instrument calibration and reference standards or survey instrument "check sources". Upon receipt of instruments with check sources shipped from the manufacturer and NRC licensee for distribution of exempt quantity sealed sources, Cardinal Health believes that our specific-licensed locations in Agreement States or non-Agreement states will provide the end point for entry to the market place for each source received. Cardinal Health may from time to time loan instruments with check sources to customers, (which have specific radioactive material medical use licenses) for example, while their business is starting up or their equipment is being calibrated or repaired. This scope of services establishes a business relationship with each customer to provide radiopharmaceutical products, services, and information for compliance with applicable regulations. Therefore, our customers trust Cardinal Health to thoroughly research issues with compliance for the use of radioactive materials.

Due to the interpretation of at least one Agreement State to believe that distribution implies a transfer from one physical location to another; and the Cardinal Health interpretation that distribution implies a transfer of ownership and possession, we request the NRC assistance to clarify the meaning of distribution as it applies to the above referenced 10 CFR regulations, the end user and recipient of exempt quantity sealed sources.

If you have any questions concerning this request, please contact my office at 614.757.3147.
Thank you.

Sincerely,



Willie Regits, Ph.D.
Corporate Radiation Safety Officer
Director, Health Physics
Nuclear Pharmacy Services

/dh

cc: Eric Matus, Acting Program Manager, Nevada Radiation Control Program
Nevada State Health Division, BHCQC Radiation Control Program
727 Fairview Drive, Suite E, Carson City, NV 89701
Jon Bakkedahl, Nevada RCP Radioactive Material Licensing
727 Fairview Drive, Suite E, Carson City, NV 89701
Randy Erickson, RSAO Contact, NRC Region IV
1800 East Lamar Blvd., Arlington, Texas 76011
Patricia Pelke, Branch Chief, Materials Licensing, NRC Region III,
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CardinalHealth

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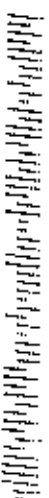
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