

April 2, 2014

Mr. Mershad A. Shahabidin
Radiation Safety Officer
Rapiscan Laboratories, Inc.
520 Almanor Ave.
Sunnyvale, CA 94085-3533

SUBJECT: NONACCEPTANCE OF AMENDMENT REQUEST (TECHNICAL ASSIGNMENT
CONTROL NUMBER L33321)

Dear Mr. Shahabadin:

We have received your application for amendment of Materials License SNM-2018 transmitted by letter dated March 20, 2014. Your request has been assigned Technical Assignment Control Number L33321.

We have completed our acceptance review of your application and have determined that the application has not incorporated all essential elements to enable an adequate safety review. Thus, the U.S. Nuclear Regulatory Commission (NRC) has not accepted your amendment request for formal review. NRC acceptance of your substandard request would impact efforts to maintain effective and timely licensing reviews, because of the potential for multiple Requests for Additional Information while you refine its analysis.

The fundamental basis for the amendment is there, to provide specifics on the Tri-uranium Octoxide (U_3O_8) canisters produced by the U.S. Department of Energy. You were licensed on September 24, 2012 to possess canisters containing U_3O_8 and your original application (Agencywide Documents Access and Management System [ADAMS] Accession Number ML12129A280) contained descriptions of what you anticipated you would receive. You have since received details on the final constructed products and they differ from what was approved in your license. The original application contained an acceptable nuclear criticality analysis for the materials you expected you would receive, but that analysis is not applicable to what is described in this amendment application. The mass of each canister varies from the original application and the sum total of special nuclear material is greater, requiring additional consideration in your analysis for storage geometry of the constructed materials. It is understood that you have not yet received these materials and no violation has occurred.

Keep in mind that reviews of adequate submittals typically require approximately 180 days to complete. If you have any questions regarding this letter, please contact me at (301) 287-9144, or via e-mail at Tyrone.naguin@nrc.gov.

In accordance with Title 10 of the *Code of Federal Regulations* 2.390(d) of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records System component of NRC's ADAMS.

Sincerely,

/RA/ R. Johnson for

Tyrone D. Naquin, Project Manager
Fuel Manufacturing Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket No.: 70-7021
License No.: SNM-2018

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***Via Email**

OFFICE:	NMSS/FMB	NMSS/FMB	NMSS/FMB
NAME:	TNaquin*	TBrockington	RJohnson
DATE:	03/28/14	3/31/2014	04/2/2014

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