

From: [Reber, Eric](#)
To: [Scott Lipsett](#)
Subject: Request for Revision to 2015 Report of Exempt Transfers; Reactor Watch, LP; License No. 04-35122-01E
Date: Wednesday, March 23, 2016 6:50:00 AM
Attachments: [RIS 2014-10 Exempt Distribution.pdf](#)

Dear Mr. Lipsett,

I've reviewed your exempt distribution report dated January 25, 2016 for the 2015 reporting period. You must revise your report so that it meets the reporting requirements for your license.

Your report includes this sentence: "All goods listed on the report conform to the regulations set forth in 10CFR 30.15, paragraph 1." This sentence misstates the regulatory reference in Part 30; it should be 10 CFR 30.15(a)(1). Also, your report must indicate that your products *were transferred for use* under 10 CFR 30.15(a)(1). Please revise and resubmit your report to include the following or similar statement: "The products were transferred for use under 10 CFR 30.15(a)(1)."

In your email dated March 21, 2016, you indicated that you submitted a hard copy of your report via US Mail on January 25. In the past few months, we have been having problems receiving deliveries of mail from the USPS and parcels from UPS. Therefore, it is a reasonable asscrtion that you would have sent us mail that we did not receive.

Further information about the requirements that apply to annual reports of exempt distribution can be found in the attached Regulatory Issue Summary.

A hard copy of your revised report should be addressed and sent to:

ATTN: Document Control Desk/Exempt Distribution
Director, Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Please be aware that upon your request, proprietary information submitted to the NRC may be withheld from public disclosure. To do this, you must follow the procedures in 10 CFR 2.390(b) including requesting withholding at the time the information is submitted and complying with the document marking and affidavit requirements set forth in 10 CFR 2.390 (b)(1).

If you have any questions, please feel free to contact me.

Regards,
Eric

Eric H. Reber
General Engineer/Project Manager
Materials Safety Licensing Branch
Division of Material Safety, State, Tribal, and Rulemaking Programs
US Nuclear Regulatory Commission
Washington, DC 20555-0001

Tel: +1 (301) 415-5608
Office: T-8i04

From: Scott Lipsett [mailto:scotty@reactorwatch.com]
Sent: Monday, March 21, 2016 5:55 PM
To: Reber, Eric <Eric.Reber@nrc.gov>
Subject: [External_Sender] Re: Request for 2015 Report of Exempt Transfers; Reactor Watch, LP; License No. 04-35122-01E

Mr. Reber,

Attached please find a copy of our report originally submitted by US Mail on January 25. I have mailed a second hard copy today, assuming something must have happened to the original.

Please let me know if you need anything further.

Scott Lipsett
Brand Manager
Reactor
818-597-2900 x202
fax 818-597-2901

On Mar 3, 2016, at 6:27 AM, Reber, Eric <Eric.Reber@nrc.gov> wrote:

Dear Mr. Lipsett,

All holders of exempt distribution materials licenses are required to submit annual reports of their distribution of exempt products by January 31 of each year for the preceding year. From a review of our records it appears that you have not submitted a report of the distribution of exempt products under License No. 04-35122-01E for 2015. If you have already submitted such a report or believe that you are not required to submit such a report, please inform me. If you have already submitted a report, please send me a copy of the report so that I can verify that it is in our system. Otherwise, you should submit your report without delay. Information concerning the requirements for such reports is provided below.

Your license authorizes the distribution of exempt products pursuant to 10 CFR 32.14. The record keeping and reporting requirements for such licenses are located in 10 CFR 32.16. The reporting requirements are detailed and prescriptive and should be followed fastidiously.

10 CFR 32.16 Certain items containing byproduct material: Records and reports of transfer.

(a) Each person licensed under § 32.14 shall maintain records of all transfers of byproduct material and file a report with the Director of the Office of Nuclear Material Safety and Safeguards by an appropriate method listed in § 30.6(a) of this chapter, including in the address: ATTN: Document Control Desk/Exempt Distribution.

(1) The report must clearly identify the specific licensee submitting the report and include the license number of the specific licensee.

(2) The report must indicate that the products are transferred for use under § 30.15 of this chapter, giving the specific paragraph designation, or equivalent regulations of an Agreement State.

(b) The report must include the following information on products transferred to other persons for use under § 30.15 or equivalent regulations of an Agreement State:

(1) A description or identification of the type of each product and the model number(s), if applicable;

(2) For each radionuclide in each type of product and each model number, if applicable, the total quantity of the radionuclide; and

(3) The number of units of each type of product transferred during the reporting period by model number, if applicable.

(c)(1) The licensee shall file the report, covering the preceding calendar year, on or before January 31 of each year. In its first report after December 17, 2007, the licensee shall separately include data for transfers in prior years not previously reported to the Commission.

(2) Licensees who permanently discontinue activities authorized by the license issued under § 32.14 shall file a report for the current calendar year within 30 days after ceasing distribution.

(d) If no transfers of byproduct material have been made under § 32.14 during the reporting period, the report must so indicate.

(e) The licensee shall maintain the record of a transfer for one year after the transfer is included in a report to the Commission.

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If you have any questions, please feel free to contact me.

Regards,
Eric

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