

OFFICIAL RECORD COPY

## MATERIALS LICENSE

Amendment No. 27

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		In accordance with letter dated July 30, 1996	
1. National Aeronautics and Space Administration		3. License Number	01-06571-10
2. George C. Marshall Space Flight Center Huntsville, Alabama 35812		is amended in its entirety to read as follows:	
		4. Expiration Date	October 31, 2005 (extended)
		5. Docket or Reference No.	030-03575
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. Americium 241	A. Foils, plated sources, and/or sealed sources	A. Not to exceed 370 megabecquerels (10 millicuries) per source	
B. Barium 133	B. Foils, plated sources, and/or sealed sources	B. Not to exceed 74 megabecquerels (12 millicuries) per source	
C. (1) Carbon 14	C. (1) Foils, plated sources, and/or sealed sources	C. (1) Not to exceed 370 megabecquerels (10 millicuries) per source	
(2) Carbon 14	(2) Liquid, labeled/tagged compounds	(2) 185 megabecquerels (5 millicuries)	
D. Cadmium 109	D. Foils, plated sources, and/or sealed sources	D. Not to exceed 185 megabecquerels (5 millicuries) per source	
E. Chromium 51	E. Liquid, labeled/tagged compounds	E. Not to exceed 185 megabecquerels (5 millicuries) per source	
F. Curium 244	F. Foils, plated sources, and/or sealed sources	F. Not to exceed 185 megabecquerels (5 millicuries) per source	
G. Cobalt 60	G. Foils, plated and/or sealed sources	G. Not to exceed 185 megabecquerels (5 millicuries) per source	
H. Cesium 137	H. Foils, plated and/or sealed sources	H. Not to exceed 3.7 gigabecquerels (100 millicuries) per source	
I. Iron 55	I. Foils, plated and/or sealed sources	I. Not to exceed 370 megabecquerels (10 millicuries) per source	

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MATERIALS LICENSE  
SUPPLEMENTARY SHEET

License Number

01-06571-10

Docket or Reference Number

030-03575

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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
J. Iodine 125	J. Liquid, tagged/labeled compounds	J. 185 megabecquerels (5 millicuries)
K. Iodine 131	K. Liquid, tagged/labeled compounds	K. 185 megabecquerels (5 millicuries)
L. Gadolinium 153	L. Foils, plated and/or sealed sources	L. Not to exceed 370 megabecquerels (10 millicuries) per source
M. Nickel 63	M. Foils, plated sources, and/or sealed sources	M. Not to exceed 740 megabecquerels (20 millicuries) per source
N. Promethium 147	N. Foils, plated and/or sealed sources	N. Not to exceed 37 megabecquerels (1 millicurie) per source
O. Sulfur 35	O. Liquid, tagged/labeled compounds	O. 185 megabecquerels (5 millicuries)
P. Hydrogen 3	P. Liquid, tagged/labeled compounds	P. 185 megabecquerels (5 millicuries)
Q. Cadmium 115m	Q. Metal	Q. 37 megabecquerels (1 millicurie) per foil
<hr/>		
9. Authorized Use		
A. through P.	For possession and use in calibration and testing of radiation detection equipment.	
Q.	Impurities in plated sources	

## CONDITIONS

10. Licensed material shall be used only at the licensee's facilities located at the George C. Marshall Space Flight Center, Huntsville, Alabama.
11. The Radiation Protection Officer for the activities authorized by this license is John W. Noblin.

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SUPPLEMENTARY SHEET

License Number

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## CONDITIONS

Continued -

12. Licensed materials shall be used by, or under the supervision of, Brian D. Ramsey, John W. Noblin, Robert B. Wilson, Fred A. Berry, Jr., David L. Edwards, John M. Davis, Robert A. Austin, Mark J. Christl, B. Alan Harmon, John M. Horack, Charles R. Sisk, Laurel J. Karr, or James H. Perkins (for gas chromatography).
13. Sealed sources or detector cells containing licensed materials shall not be opened by the licensee.
14. A. Sealed sources and detector cells shall be tested for leakage and/or contamination at intervals not to exceed 6 months or at such other intervals as specified by the certificate of registration referred to in 10 CFR 32.210.
- B. Notwithstanding Paragraph A of this Condition, sealed sources designed to emit alpha particles shall be tested for leakage and/or contamination at intervals not to exceed 3 months.
- C. In the absence of a certificate from a transferor indicating that a leak test has been made within six months prior to the transfer, a sealed source or detector cell received from another person shall not be put into use until tested.
- D. Each sealed source fabricated by the licensee shall be inspected and tested for construction defects, leakage, and contamination prior to any use or transfer as a sealed source.
- E. Sealed sources need not be leak tested if:
- (i) they contain only hydrogen-3; or
  - (ii) they contain only a radioactive gas; or
  - (iii) the half-life of the isotope is 30 days or less; or
  - (iv) they contain not more than 100 microcuries of beta and/or gamma emitting material or not more than 10 microcuries of alpha emitting material; or
  - (v) they are not designed to emit alpha particles, are in storage, and are not being used. However, when they are removed from storage for use or transferred to another person, and have not been tested within the required leak test interval, they shall be tested before use or transfer. No sealed source or detector cell shall be stored for a period of more than 10 years without being tested for leakage and/or contamination.
- F. The leak test shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. Records of leak test results shall be kept in units of microcuries and shall be maintained for inspection by the Commission. If the test reveals the presence of 0.005 microcurie or more of removable contamination, a report shall be filed with the U.S. Nuclear Regulatory Commission and the source shall be removed immediately from service and decontaminated, repaired, or disposed of in accordance with Commission regulations. The report shall be filed within 5 days of the date the leak test result is known with the U.S. Nuclear Regulatory Commission, Region II, ATTN: Chief, Nuclear Materials Licensing/Inspection Branch, 101 Marietta Street, N.W., Suite 2900, Atlanta, Georgia 30323. The report shall specify the source involved, the test results, and corrective action taken. Records of leak test results shall be kept in units of microcuries and shall be maintained for inspection by the Commission. Records may be disposed of following Commission inspection.

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**

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**CONDITIONS**

Continued -

14. G. The periodic leak test required by this condition does not apply to sealed sources installed and maintained in readiness in spaceflight hardware or backup hardware prior to launch.
- H. Tests for leakage and/or contamination shall be performed by the licensee or by other persons specifically licensed by the Commission or an Agreement State to perform such services.
15. Licensed material shall not be used in or on human beings or in products distributed to the public.
16. The licensee is authorized to transport licensed material only in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
17. The licensee shall conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license.
18. This license does not authorize the launch of licensed materials.
19. The licensee shall maintain records of information related to decommissioning at the licensee's facilities located at the George C. Marshall Space Flight Center, Huntsville, Alabama as specified in 10 CFR 30.35(g) until this license is terminated by the Commission.
20. In addition to the possession limits in condition 8, the licensee shall further restrict the possession of licensed material to quantities below the minimum limit specified in 10 CFR 30.35(d) for establishing decommissioning financial assurance.
21. Maintenance, repair, cleaning, replacement and disposal of foils contained in detector cells shall be performed only by the device manufacturer or other persons specifically authorized by the Commission or an Agreement State to perform such services.
22. The licensee is authorized to hold radioactive material with a physical half-life of less than 65 days for decay-in-storage before disposal in ordinary trash provided:
- A. Radioactive waste to be disposed of in this manner shall be held for decay a minimum of 10 half-lives.
- B. Before disposal as ordinary trash, byproduct material shall be surveyed at the container surface with the appropriate survey meter set on its most sensitive scale and with no interposed shielding to determine that its radioactivity cannot be distinguished from background. All radiation labels shall be removed or obliterated.
- C. A record of each disposal permitted under this license condition shall be retained for three years. The record must include the date of disposal, the date on which the byproduct material was placed in storage, the radionuclides disposed, the survey instrument used, the background dose rate, the dose rate measured at the surface of each waste container, and the name of the individual who performed the disposal.



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SUPPLEMENTARY SHEET**

License Number

01-06571-10

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Amendment No. 27

**CONDITIONS**

Continued -

23. The licensee shall not acquire licensed material in a sealed source or device that contains a sealed source unless the source or device has been registered with the Nuclear Regulatory Commission under 10 CFR 32.210 or with an Agreement State.

24. 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. Letters dated

1. July 28, 1995 with revised application [Applicant has revised its renewal application dated September 6, 1994 to request a limited scope rather than a broad scope license.]
2. September 29, 1995 [Additional information about the licensee's Radiation Safety Program.]
3. January 22, 1996 [Increase Item 8.F. possession limits]
4. March 15, 1996 [Correct quantity of iron 55 sources, add cadmium 115m]
5. July 30, 1996 [Delete depleted uranium From specific license in favor of general licenses under 10 CFR 40.22 and §40.25]

B. Reference March 1, 1996 NRC letter extension of expiration date per 10 CFR 30.36

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

DAVID J. COLLINS

DATE

OCT 03 1996

BY

*David J. Collins*

Region II, Division of Nuclear Materials Safety  
101 Marietta Street, N.W., Suite 2900  
Atlanta, Georgia 30323-0199

N:\MLICENSE\01-06571.A27

*10/4/96*

BETWEEN:

License Fee Management Branch, ARM  
and  
Regional Licensing Sections

: (FOR LFMS USE)  
: INFORMATION FROM LTS  
: -----  
:  
: Program Code: 03610  
: Status Code: 0  
: Fee Category: EX 3P 2C  
: Exp. Date: 20051031  
: Fee Comments: 2C CORRECT/3P EFF 10/  
: Decom Fin Assur Req: N  
: ::::::::::::::::::::::::::::::

LICENSE FEE TRANSMITTAL

A. REGION

1. APPLICATION ATTACHED

Applicant/Licensee: NATIONAL AERONAUTICS & SPACE ADM.  
Received Date: 960730  
Docket No: 3003575  
Control No.: 257148  
License No.: 01-06571-10  
Action Type: Amendment

2. FEE ATTACHED

Amount: \_\_\_\_\_  
Check No.: \_\_\_\_\_

3. COMMENTS

Signed \_\_\_\_\_  
Date \_\_\_\_\_

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered /\_\_/)

1. Fee Category and Amount: \_\_\_\_\_

2. Correct Fee Paid. Application may be processed for:

Amendment \_\_\_\_\_  
Renewal \_\_\_\_\_  
License \_\_\_\_\_

3. OTHER \_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_  
Date \_\_\_\_\_



# FAX COVER PAGE

To: REGION II NRC		From : JOHN W. NOBLIN
Fax Number : 8-404-331-4449		Company :
Date : 7/30/96	Time : 8:52:12	For Information Call: 205-544-5738
Subject :		Fax Number : 205-544-5746

DAVID J. COLLINS:

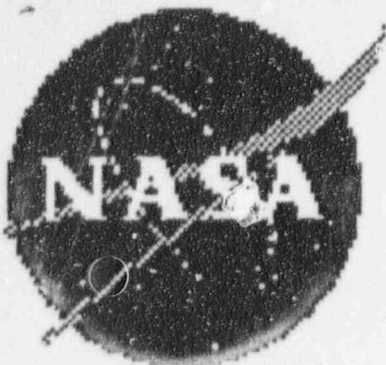
IN ACCORDANCE WITH OUR DISCUSSIONS, I BELIEVE THAT WE DO NOT HAVE TO HAVE THE DEPLETED URANIUM 238 ON OUR LICENSE BECAUSE OF THE REASONS LISTED IN THIS LETTER.

WITH RESPECT TO THE LAST PARAGRAPH, CAN THIS BE DONE QUICKLY. WE REALLY NEED TO HAVE THIS CORRECTED FOR BUDGET RESTRAINTS.

THANKS FOR YOUR ASSISTANCE AND GUIDANCE IN THIS MATTER. LET ME KNOW.

JOHN W. NOBLIN, RSO  
NASA/MSFC

257143



# FAX COVER PAGE

To: REGION II NRC		From : JOHN W. NOBLIN
Fax Number : 8-404-331-4449		Company :
Date : 7/30/96	Time : 8:52:12	For Information Call: 205-544-5738
Subject :		Fax Number : 205-544-5746

DAVID J. COLLINS:

IN ACCORDANCE WITH OUR DISCUSSIONS, I BELIEVE THAT WE DO NOT HAVE TO HAVE THE DEPLETED URANIUM 238 ON OUR LICENSE BECAUSE OF THE REASONS LISTED IN THIS LETTER.

WITH RESPECT TO THE LAST PARAGRAPH, CAN THIS BE DONE QUICKLY. WE REALLY NEED TO HAVE THIS CORRECTED FOR BUDGET RESTRAINTS.

THANKS FOR YOUR ASSISTANCE AND GUIDANCE IN THIS MATTER. LET ME KNOW.

JOHN W. NOBLIN, RSO  
NASA/MSFC

257143



July 30, 1996

U. S. Nuclear Regulatory Commission  
Region II  
Division of Nuclear Materials Safety  
101 Marietta St., N. W.; Suite 2900  
Atlanta, GA 30323-0199

Attention: David J. Collins

Ref: MSFC NRC License No. 01-06571-10

Dear Sir:

At the present time our license allows us to possess depleted Uranium 238 in the amount of 60 kilograms (item O on our license).

This has been on our license for sometime; however, we believe that this item should be deleted from our license for the following reasons.

In accordance with 10 CFR 40.25, we are allowed to possess depleted Uranium 238 in devices which are manufactured under a specific license issued by either NRC or an Agreement State. Our device, a Varian linear accelerator model L-200A, Serial number 039 was manufactured under a State of California license No. 1025-43, condition No. 22. The depleted Uranium is used for shielding and is 87 pounds. A copy of that license will be furnished to you at your request.

In accordance with 10 CFR 40.22, we are allowed to possess depleted Uranium 238 in amounts not to exceed 15 pounds. We have a five (5) pound disc which is covered under this paragraph.

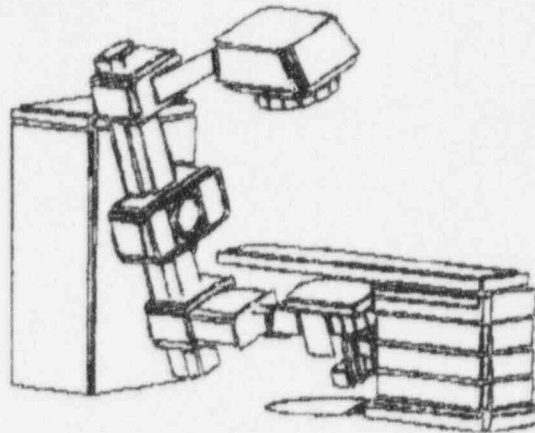
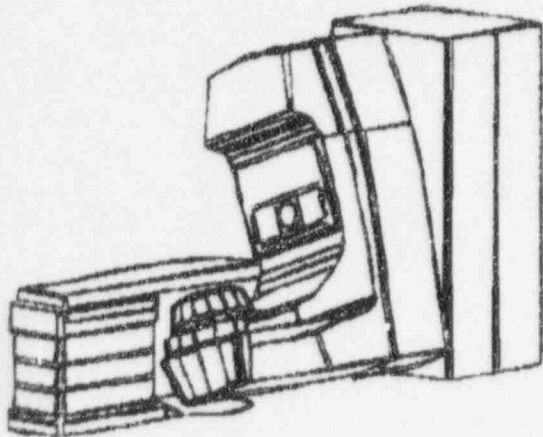
With respect to the above, we request the depleted Uranium 238 be deleted from our license and that a corrected copy be sent to us. Furthermore, we request that the necessary forms be submitted to correct this item on our fee schedule and that we not be required to pay the fee of \$8,100.00 (2C) for this upcoming billing cycle.

If you have any questions, please contact me at 205-544-5738 or FAX 205-544-5746.

John W. Noblin, RSO  
NASA/MSFC

257143

**varian®**  
oncology systems



**planning**  
The Planning Department

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To: JOHN NOBLIN

Date: 7-29-96

From: VARIAN

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This FAX was requested by someone at your location. Please deliver the document(s) to the individual

The attached documents have been sent by Varian - Oncology Systems. To obtain further architectural support or information contact your nearest regional office as listed in the "Regional Support and Information" section of the IDP or Varian's central Planning Department office at:

Planning Department  
Oncology Systems Marketing  
Varian Associates, Inc.  
Building 58-MGM  
3045 Hanover Street  
Palo Alto, California 94304-1129  
(800) 278-2747  
(415) 424-5236  
(415) 424-8617 Fax  
(415) 424-5989 Automated Fax-on-Demand System

State of California Health and Welfare Agency

Department of Health Services

Page 1 of 5 pages

## RADIOACTIVE MATERIAL LICENSE

Pursuant to the California Code of Regulations, Division 1, Title 17, Chapter 5, Subchapter 4, Group 2, Licensing of Radioactive Material, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, use, possess, transfer, or dispose of radioactive material listed below, and to use such radioactive material for the purpose(s) and at the place(s) designated below. This license is subject to all applicable rules, regulations, and orders of the Department of Health Services now or hereafter in effect, and to any standard or specific condition specified in this license.

1. Licensee	Varian Associates	2. License No.	1025-43	Amendment No.	42
2. Address	611 Hansen Way Palo Alto, CA 94303	4. Expiration date	November 25, 1997	(3)	
Attention:	Jeffrey H. Kleck Radiation Safety Officer	5. Inspection agency	Radiologic Health Branch Berkeley		

License Number 1025-43 is hereby amended as follows:

6. Nuclide	7. Form	8. Possession Limit
A. Phosphorus 32	A. Sealed source (NUMEC Model 160A94)	A. One source not to exceed 20 grams (1.2 Curies)
B. Radium 226	B. Plated foils	B. 10 sources not to exceed 200 microcuries each.
C. Cesium 137	C. Sealed Source (ICN Model 375)	C. One source not to exceed 25 millicuries.
D. Cesium 137	D. Check sources	D. 30 sources not to exceed 10 microcuries each.
E. Thorium (natural)	E. Thoriated glass (10% thorium)	E. Not to exceed 10 pounds
F. Uranium, depleted	F. Plated or unplated 3/4% Titanium alloy	F. Not to exceed 20,000 pounds (3.02 Curies)
G. Any radionuclide with atomic number 4-83	G. Any, as induced radioactivity in portions of accelerators and facilities.	G. Not to exceed 10 Curies total.
H. Iridium 192	H. Sealed sources (Oriontron International Model SL-777 or SL-777V)	H. 2 sources not to exceed 13 Curies each.

## 9. Authorized Use

A, C, and D. To be used for calibration of instruments and as check sources.

B, and E. To be used for storage only.

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OCT 2 '96 14:02 FROM KELSEY-SEYBOLD CLINIC

State of California Health and Welfare Agency

Department of Health Services

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RADIOACTIVE MATERIAL LICENSE

License Number: 100545

Supplementary Sheet

Amendment Number: 62

13. The licensee as specifically provided otherwise by this license, the licensee shall possess and use radioactive material devices in items 6, 7, 8 and 9 of this license in accordance with statements, representations, and procedures contained in the documents submitted below. The Department's regulations shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the regulations.
- (a) The renewal application dated October 20, 1989 as modified by letters with attachments dated November 12, 1990 and January 3, 1991, all signed by Eugene Yodanis.
- (b) The letter with attachments dated March 15, 1995, signed by Charles H. Will, and the letter with attachments dated June 30, 1995 signed by Jeffrey H. Klack, Ph.D.
- (c) The letter with attachments dated August 30, 1995, signed by Jeffrey H. Klack, regarding Vantage Verification RCRH remote attending devices and shipping containers.
- (d) The Radiation Safety Officer in this program shall be Jeffrey H. Klack.
- (e) The Alternate Radiation Safety Officer in this program shall be Calvin Hensinger.
15. Sealed sources processed under this license shall be tested for leakage under contamination as required by Title 17, California Radiation Control Regulations, Section 30275 (c).
16. Except for syringe sources, the periodic leak test required by Condition 15 does not apply to sealed sources that are stored and not being used. The sources exempted from this test shall be tested for leakage prior to any use or transfer to another person unless they have been leak tested within six months prior to the date of use or transfer.
17. Quantitative analytical assays for the purpose of tests for leakage and/or contamination of sealed sources shall be performed only by persons specifically authorized to perform that service.
18. The following individuals are authorized to collect urine test samples of sealed sources processed under this license using leak test kits acceptable to the California Department of Health Services.
  - (a) The Radiation Safety Officer
  - (b) Qualified individuals designated in writing by the Radiation Safety Officer
19. Records of leak test results shall be kept in units of microcuries and maintained for inspection. Records may be disposed of following Department inspection. Any leak test revealing the presence of 0.005 microcuries or more of removable radioactive material shall be reported to the Department of Health Services, Radiologic Health Branch, 401 N. Nth Street P.O. Box 942733, Sacramento, CA 95834-7120, within five days of the test. This report shall include a description of the defective source or device, the results of the test, and the

State of California Health and Welfare Agency

Department of Health Services

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RADIOACTIVE MATERIAL LICENSE

License Number: 100545

Supplementary Sheet

Amendment Number: 62

9. Authorized Use Code:
  - P. To be used as radiation shielding in linear accelerators and for distribution to specific and general licensees of the NRC or Agreement States (see Condition 22).
  - G. To be used for storage of radioactive materials produced incident to the operation of linear accelerators.
  - H. To be used for storage in DOT approved shipping containers, and as components of Vantage Model Verification RCRH Remote Attenuator for installation, source exchanges, service, and distribution to specific licensees of the U.S. Nuclear Regulatory Commission or Agreement States.

LICENSE CONDITIONS

10. Radioactive material shall be used only at the following location:
  - (a) 611 Hemlock Way, Palo Alto, CA
  - (b) 596 Alder Drive, Milpitas, CA
  - (c) Temporary job sites of the licensee in areas not under exclusive federal jurisdiction throughout the State of California (Statewide H only).
11. This license is subject to an annual fee for sources of radioactive material authorized to be possessed at any one time as specified in item 6, 7, 8 and 9 of this license. The annual fee for this license is required by and incorporated in accordance with Title 17, California Code of Regulations, Sections 30230-30232 and is also subject to an annual cost-of-living adjustment pursuant to Section 115 of the California Health and Safety Code.
12. (a) Radioactive material shall be used by, or under the supervision of, the following individual:
  - (1) Jeffrey H. Klack
  - (2) Calvin Hensinger
  - (3) Stanley Johnson
- (b) Radioactive material described in subtitle H of this license may be used by or under the supervision and in the physical presence of individuals who are qualified to perform installation, source exchanges, and servicing in accordance with condition 11 (b). Records of such training shall be maintained for Department inspection.

To: JOHN-MOBILIM

From: UNRIAN

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Department of Health Services

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RADIOACTIVE MATERIAL LICENSE

License Number: 1025-43

Supplementary Sheet

Amendment Number: 42

21. The licensee is authorized to calibrate radiation detection instruments for his own use. Each calibration of a radiation detection instrument shall include not less than 2 points other than zero (separated by 50 percent of full scale) for each scale of the instrument certified by the licensee.
22. The licensee is hereby authorized to distribute devices containing depleted uranium to persons generally licensed pursuant to 17 CCR 30192.6 or equivalent regulations of the USNRC (10 CFR 40.25) or other Agreement States, and to persons specifically licensed for possession and use of depleted uranium contained in such devices by the USNRC or Agreement States. The licensee shall:
  - (a) maintain the level of quality control required by Condition 13(a) of this license in the manufacture of the devices, and in the installation of depleted uranium into the device;
  - (b) label or mark each unit to: (1) identify the manufacturer or initial transferor of the product or device and the number of the license under which the device was manufactured or initially transferred; the fact that the device contains depleted uranium and the quantity of depleted uranium in each device; and (2) state that the receipt, possession, use, and transfer of the device are subject to the conditions of the general license issued by the regulations of the USNRC or Agreement States.
  - (c) assure that the depleted uranium before being installed in each device has been impressed with the following legend clearly legible through any plating or covering: "Depleted Uranium".
  - (d) furnish a copy of the general license contained in 17 CCR 30192.6 or equivalent regulations of the USNRC (10 CFR 40.25) or other Agreement States, as appropriate, to each person to whom the licensee distributes the source material in a product or device for use pursuant to the general license contained in 17 CCR 30192.6;
  - (e) include specifics provided for in Condition 13(a) of this license regarding requirements for customer registration within 30 days of receipt as specified under 17 CCR 30192.6 (1); and
  - (f) report all transfers of the device authorized by this Condition. Reports shall be filed with the agency having regulatory responsibility at the generally licensed recipient's address within 30 days after the end of each calendar quarter in which such transfer has occurred. These reports shall specify:
    - (1) The name and address of the regulatory agency to whom the report is directed.
    - (2) The authority for transfer, i.e., the name of the licensee specified in Item 1 of this license, and the license number specified in Item 3.
    - (3) The name and address of the generally licensed recipient.
    - (4) The numbers and models of devices, together with an indication of quantities contained in each device transferred to said recipients.



To: JOHN NOBLIN

From: WBIAM

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State of California-Health and Welfare Agency

Department of Health Services

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RADIOACTIVE MATERIAL LICENSE

License Number: 1025-43

Supplementary Sheet

Amendment Number: 42

23. The licensee shall distribute only sealed sources and/or devices for which a Sealed Source and Device Registry Sheet Sealed Source and Device Registry Certificate has been issued or otherwise approved by the California Department of Health Services, the U.S. Nuclear Regulatory Commission, or other Agreement State. Sealed sources and/or devices distributed must adhere to the design specifications described in the Sealed Source and Device Registry Certificate. Any changes in the design or specifications of these sealed sources and/or devices require the manufacturer to apply for and receive an amendment to the Sealed Source and Device Registry Certificate prior to distribution.

For the State Department of Health Services

Date September 13, 1996

By:

*Gerard Wong*  
Radiologic Health Branch  
P.O. Box 942732, Sacramento, CA 94294-7320

JUL 29 '96 16:03

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## **Response to Technical Assistance Request**

**You have NOT BEEN ASSIGNED to approve this TAR**

**Switch to Approval Mode**

### **Response Section**

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**From:** Wang

**Date Completed:** 03/08/93

**Images:**

#### **Response:**

Jenny Johansen, Section Chief, Region I requested technical assistance with regard to Acceletronics, Inc.'s letter to NRC, dated February 23, 1993, concerning whether or not Acceletronics, Inc. could receive depleted uranium used as shielding material in linear accelerators manufactured by Varian Ass. under 10 CFR § 40.25. The purpose of the request is to eliminate the need to continue under a specific license due for expiration March 31, 1993.

After reviewing all pertinent documents, including the original FR notices (enclosed), and discussing with key NMSS and RES staff, I called Jenny Johansen and discussed the following:

Acceletronics, Inc. is correct in that the company can receive, as a general licensee, the linear accelerators containing the depleted uranium from other general licensees (i.e., its customers) under 10 CFR § 40.25 since Varian has authorization from the Agreement State of California under equivalent § 40.34 to distribute the depleted uranium as shielding to its customers. However, some of Varian's customers have received the depleted uranium under a specific license rather than under § 40.25 or equivalent regulations of Agreement States. If Acceletronics, Inc. chooses to receive the linear accelerators from its customers as a general licensee, then each of the customers must have filed a NRC form 244 (or equivalent Agreement State form) as required under the regulations. If one of Acceletronics, Inc.'s customers is a specific licensee, and Acceletronics, Inc. chooses to be a general licensee, then that customer would be in violation of the regulations since a specific licensee cannot distribute to

general licensees (i.e., to Acceletronics, Inc.) without obtaining authorization to distribute.

Region I has passed this information to Acceletronics, Inc. since its license is up for renewal March 31, 1993. This problem has also been identified to the cognizant RES contact (Cathy Mattsen) working on the revision of Part 40

**Attachment(s):**

N/A

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last modified by Pat Vacca/usnrc on 15-Apr-96 at 11:39 AM

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