

FEB 26 1997

Docket No. 030-08335

License No. 37-00030-09G

Mr. Larry Harmon
Plant Manager
Safety Light Corporation
4150A Old Berwick Road
Bloomsburg, PA 17815

Dear Mr. Harmon:

This is in response to your letter dated February 12, 1997, regarding entities which act as an intermediary in the distribution of generally licensed products.

10 CFR 32.51a (a) and (b) do allow persons licensed, in accordance with § 32.51, to transfer generally licensed products to persons either directly or through an intermediate person as long as a copy of the general license contained in §31.5 or equivalent Agreement State regulation is furnished. Further, 10 CFR 32.52 (a) which addresses material transfer reports and records states that for reports of transfers from persons licensed per §32.51, "...If one or more intermediate persons will temporarily possess the device at the intended place of use prior to its possession by the user, the report must include identification of each intermediate person by name, address, contact, and relationship to the intended user." In addition, §32.52 (c) requires that records kept by persons licensed per §32.51 show the "...identity of any intermediate person."

Therefore you must continue to list all intermediate persons through which your generally licensed products are transferred on reports sent to the NRC and records kept by you in accordance with §32.52 or these intermediate persons must be licensed per 10 CFR 30 and 32.

As an alternative, intermediate persons may acquire specific licenses in accordance with 10 CFR 30 and 32. In this situation, you would not be required to report the transfers of the devices. The intermediate person would be a specific licensed redistributor of the devices and would be required to adhere to transfer, reporting and recordkeeping requirements of §§32.51a and 32.52.

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L. Harmon
Safety Light Corporation

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We are reviewing the other matter discussed in your letter.

Sincerely,

ORIGINAL SIGNED BY:

Jenny M. Johansen, Chief
Nuclear Materials Safety Branch 3
Division of Nuclear Materials Safety

cc:
Commonwealth of Pennsylvania

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