

February 8, 2002

Paul Nipper  
Quality Assurance Manager  
Bionomics, Inc.  
P.O. Box 817  
Kingston, TN 37763

SUBJECT: SHIPMENT OF <sup>239</sup>PLUTONIUM-BERYLLIUM NEUTRON SOURCE

Dear Mr. Nipper:

This is in response to your January 29, 2002, letter in which you described a shipment of a two-curie <sup>239</sup>Plutonium-Beryllium (239PuBe) neutron source that you wish to make from Denison University, Granville, Ohio, to Kenyon College, Gambier, Ohio. In your letter you stated that you want to satisfy the Quality Assurance (QA) requirements of 10 CFR Part 71, Subpart H, by using the "Los Alamos National Laboratory 239PuBe Source Recovery Program."

In a follow up telephone call on January 30, 2002, between you and Thomas Matula of my staff, Mr. Matula explained to you that the Los Alamos National Laboratory 239PuBe Source Recovery Program was developed specifically for 239PuBe source shipments from various universities to the Los Alamos National Laboratory. That recovery program has expired and it was not intended to be used for 239PuBe source shipments between universities.

The entity licensed for possession of the 239PuBe source must have a QA Program approved by the U.S. Nuclear Regulatory Commission (NRC) as satisfying the requirements of 10 CFR Part 71, Subpart H. The entity can obtain NRC approval of its QA Program by submitting it to the NRC for review as described in 10 CFR 71.101(c) along with the application fee described in 10 CFR Part 170. Also, please note that once the QA Program is approved by the NRC, the holder of the QA Program would be subject to the annual fees identified in 10 CFR Part 171.

If you have any questions regarding this matter, please contact me at 301-415-3567 or Thomas Matula at 301-415-8563.

Sincerely,  
**/RA/**

Michael Tokar, Chief  
Transportation and Storage Safety  
and Inspection Section  
Spent Fuel Project Office  
Office of Nuclear Material Safety  
and Safeguards

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Michael Tokar, Chief  
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