



UNITED STATES  
**NUCLEAR REGULATORY COMMISSION**  
REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

February 12, 2003

Docket No. 030-36220  
Control No. 132719

James Wood  
President  
CFC Logistics, Inc.  
400 AM Drive  
Quakertown, PA 18951

**SUBJECT: CONSTRUCTION ACTIVITIES PRIOR TO ISSUANCE OF LICENSE**

Dear Mr. Wood:

This refers to your application dated January 30, 2003, for an NRC license for a pool irradiator. That application is under review. Please note that 10 CFR 36.15 states, in part, that any activities undertaken prior to the issuance of a license are entirely at the risk of the applicant and have no bearing on the issuance of a license.

During a telephone conversation on February 6, 2003, with Sattar Lodhi of this office, Ms. Sharon Marie Turner of your staff indicated that construction activities have been initiated at the site. During a telephone conversation on February 11, 2003, Ms. Turner, told me that the proposed site is being excavated and that the irradiator pool is to be installed soon. Dr. Lodhi and I discussed the above cited regulation with Ms. Turner and pointed out that our review of your application will include a review of site's location, geophysical characteristics as well as the design of the pool and other irradiator components. Part of our process for authorizing the possession and use of radioactive material at the facility requires that we conclude that the facility has been constructed in accordance with the approved design. As discussed with Ms. Turner, placing the pool in accordance with appropriate building codes and good engineering practice and maintaining complete records of the construction and placement of the pool may assist us in coming to that conclusion. However, construction activities prior to the review and approval of the design may make that conclusion more difficult to reach.

We may visit your facility to observe parts of the construction prior to completing the review of your application. However, we expect to have questions concerning the design and placement of the pool as our review continues. Therefore, you should not construe the discussions documented above nor any visits we might make to the site as approval of any aspect of your application or facility.

J. Wood  
CFC Logistics, Inc.

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If you have any questions, please contact Dr. Lodhi at (610) 337-5364. We will keep you informed as our review of your application progresses. Thank you for your cooperation.

Sincerely,

***Original signed by John D. Kinneman***

John D. Kinneman, Chief  
Nuclear Materials Safety Branch 2  
Division of Nuclear Materials Safety

cc:  
Sharon Marie Turner, Radiation Safety Officer

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DATE	2/12/03		2/12/2003					

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