



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, D.C. 20350-2000

5104 IN REPLY REFER TO
Ser N455C/N4U732218
2 February 2004

U. S. Nuclear Regulatory Commission
Division of Industrial and Medical Nuclear Safety
Materials Safety and Inspection Branch
Attn: Mr. J. Rivera
Washington, DC 20555

Mr. Rivera,

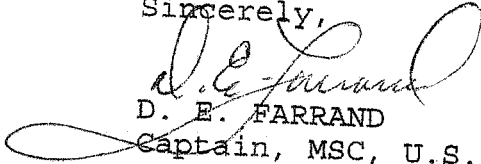
SUBJECT: SOURCE AND DEVICE REGISTRATION NR-470-S-101S

Per your request to the Naval Radiation Safety Committee (NRSC) concerning the device registration above, I have investigated the status of these sources. These sources were and continue to be used within Naval nuclear propulsion reactors which are under the cognizance of the joint Navy/Department of Energy (DOE) Naval Reactors Program. An Interagency Agreement formally transferred ownership of these sources from the Navy to the Department of Energy in 1991. As such, these sources became exempt from the Nuclear Regulatory Commission (NRC) licensing process as stated in the attached NRC letter. There were 127 of these sources manufactured and 124 were transferred to the DOE via the Interagency Agreement. The remaining three were not needed by the Navy and transferred to DOE's Los Alamos National Laboratory Source Recovery Project prior to 1991.

Based on the transfer of all of these sources to the DOE, the NRSC requests the status of the Certificate of Registration for these sources be changed to "inactive".

Please contact Captain D. E. Farrand at (703) 602-5365 if you have any questions.

Sincerely,


D. E. FARRAND

Captain, MSC, U.S. Navy
Executive Secretary
Naval Radiation Safety Committee

Enclosure: (1) NRC Letter of March 6, 1991

Copy to:
NAVSEADDET RASO
NRC Region I

From: "Farrand, David E CAPT" <david.farrand@navy.mil>
To: <JXR4@nrc.gov>
Date: 2/3/04 1:03PM
Subject: Request for SSDR Inactive Status

Mr. Rivera,

I've attached a copy of our request to put Sealed Source certificate No.NR-470-S-101-S in an inactive status.

A hard copy was mailed yesterday, however, I thought I would email you a copy since the mail is real slow.

Please forward a copy to Ms. Dandois.

<<Letter - Source and Device Registration NR 470 S 101S.pdf>>

If you have any questions, please call or email me.

V/R

CAPT Dave Farrand
Head, Radiological Controls and Health Branch
Office of Chief of Naval Operations (N455)
2000 Navy Pentagon (NC-1 Suite 2000)
Washington, DC 20350-2000
Voice: 703.602.5365 or DSN 332-5365
FAX 703.602.1982
Pager: 877-717-3680
Email: David.Farrand@navy.mil

CC: "Sanders, Jerry LCDR" <jerry.sanders@navy.mil>

OUTGOING MAIL RECORD

OPNAV 5216/4 (rev. 10-84)

CLASSIFICATION (Of Attached Material) UNCLASSIFIED					
CONTROL NO.	OSER REF	OPCODE ORIG. N455C	CNO SER N4U732218	CNO DATE 02 Feb 04	TYPE LTR
ADDRESSEE (OMR Action) USNRC, Headquarters		REG. NO.		SSIC 5104	
KEYWORD Source Registration		KEYWORD NR-470-S-101S		KEYWORD	
KEYWORD		DOWNGRADE YEAR		DECLASS/REVIEW YEAR	
REQUIRED RETENTION DATE		NUMBER MAILED		DISTRIBUTION (CMR Action)	

CLEARANCE LADDER:

2 Feb 04
N455C

N455

COMMENTS (Enter any comments that should become a permanent part of this action for retention in the CMR master microfiche file)

ORIG: LCDR J. N. SANDERS, MSC, USN
PHONE: 602-2582
FILE: NRSC.XLW

(CMR Use Only)

SCREENER	FILMER	MAILER	COMPUTER	CLASSIFICATION (Attached Material) UNCLASSIFIED
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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

March 6, 1991

Richard A. Guida
Associate Director
for Regulatory Affairs
Office of Naval Reactors
U. S. Department of Energy
Washington, DC 20585

Dear Mr. Guida:

This is in response to your letter dated December 13, 1990, in which you stated that the Department of Energy (DOE), Office of Naval Reactors is considering signing an Interagency Agreement with the Department of the Navy and requested the views of the Nuclear Regulatory Commission (NRC) before execution of the Agreement.

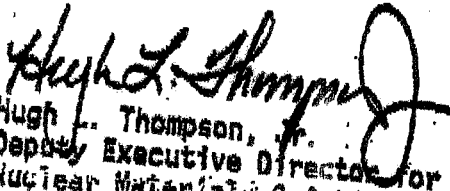
The proposed Interagency Agreement relates to certain radioactive material used in the Naval Nuclear Propulsion Program, which is under the overall authority of the Director of Naval Nuclear Propulsion who serves jointly as Department of Energy (DOE) Deputy Assistant Secretary for Naval Reactors and as Department of Navy (DON) Director of Naval Nuclear Propulsion. The radioactive material is currently licensed by NRC under a Broadscope License issued to the Department of the Navy. In the joint program under the Agreement, DOE will be responsible for the standards, requirements and procedures respecting the possession and safe handling of such radioactive material and DON will be responsible for complying with such standards, requirements and procedures. The overall responsibility and authority remains in the Director of Naval Nuclear Propulsion who continues to serve a joint role in DOE and DON. The radioactive material in question includes check sources for radiation measurement instruments and nuclear instruments and depleted uranium shielding, when such materials are used in applications involving the specified naval nuclear propulsion program activities. The Agreement does not relate to nuclear fuel or other special nuclear materials already under DOE authority or under Department of Defense authority pursuant to section 91b of the Atomic Energy Act.

The use of such source and byproduct material under the authority of the DOE are exempt from NRC licensing requirements. Since, as indicated in the Agreement, the Director of Naval Nuclear Propulsion Program exercises control over the subject sources used in the joint DOE-DON program and DOE will prescribe standards, requirements and procedures applicable to the use of such sources by the joint program, the materials may be used under the authority of the DOE without license by the NRC. Radioactive materials other than those discussed above would continue to be regulated under the NRC Broadscope License issued to the Department of the Navy.

Enclosure (1)

The NRC Office of the General Counsel and Office of Nuclear Material Safety and Safeguards have reviewed the proposed Interagency Agreement and agree that DOE exertion of its authority over such source and byproduct materials is consistent with the Atomic Energy Act and with NRC regulations under 10 CFR 30 and 10 CFR 40. Therefore, NRC has no objection to the execution of the proposed Interagency Agreement.

Sincerely,


Hugh L. Thompson, Jr.
Deputy Executive Director for
Nuclear Materials Safety, Safeguards,
and Operations Support.

cc: Captain Mendenhall, U.S. Navy