



PHILIP MORRIS

U.S.A.

P.O. BOX 26603, RICHMOND, VIRGINIA 23261 TELEPHONE (804) 274-2000

December 20, 2004

Nuclear Regulatory Commission, Region I
475 Allendale Road
King of Prussia, PA 19406
Attn: Ms Donna Janda

04 DEC 27 A 7:24

RECEIVED
REGION I

SUBJECT: AMENDMENT REQUEST FOR MATERIALS LICENSE #45-00385-06

03006510

Dear Ms Janda:

Materials license # 45-00385-06 currently authorizes Philip Morris USA in Richmond, VA to possess Amersham sources model SIF Q 2874. This source is used in the Molins "MAID N" density gauge, device registration NR-462-D-102-B. This model is no longer manufactured and has been superseded by AEA Technology's Model SIF K 2365. The isotope (Sr90), activity (25 millicuries), and all dimensions are the same. Philip Morris USA wishes to amend its materials license to add the AEA Technology (Amersham) source model SIF K 1265 for use in our "MAID N" gauges.

The replacement sources are necessary to maintain gauges installed on production equipment. These gauges are functioning safely, however, the aging sources yield weak signals that cause unreliable measurements. Of twenty original sources received in 1988-1989, twelve are now too weak to operate the density gauge properly.

Please expedite this amendment request as quickly as possible. The replacement parts will be manufactured in Europe and shipped after this amendment request is approved. Philip Morris USA is likely to suffer production curtailment if the amendment process takes 90 days.

Please call me at (804) 274-2946 if you have any questions.

Sincerely,

Joseph N. Tenhet
RSO

Attachments:

- Copy of e-mail from Mr. Nima Ashkeboussi, US NRC
- Copy of e-mail from Mr. Tony Pisani, Molins Saunderson, United Kingdom
- Copy of letter from Ms Susanne Strempel, AET Technology

136185

NMSS/RGNI MATERIALS-002

Tenhet, Joseph N.

From: Nima Ashkeboussi [NAA@nrc.gov]
Sent: Wednesday, December 15, 2004 5:12 PM
To: Joseph.N.Tenhet@pmusa.com
Cc: Donna Janda; John Jankovich; Tim Harris
Subject: Sealed Source and Device Requirements

DSS: No

Dear Mr. Tenhet,

Per our conversation on December 8, 2004, regarding the need for a sealed source and device (SSD) evaluation, please note that Phillip Morris will not need a custom SSD evaluation. As we understand, Phillip Morris was requesting to use a different sealed source model designation for the Molins Richmond MAID N Model density gauge (NR-0462-D-803-B) because the source listed in the registration certificate is no longer available and, therefore, Phillip Morris requested custom registration of the device with an equivalent replacement source.

This response is based on the provisions of the guidance in NUREG 1556, Volume 3, Section 5.1.3 which state that devices containing sealed sources built to the unique specifications of a given user (custom) need not be sent to NRC or the Agreement State for registration if: (a) they contain less than 7.4 GBq (200 mCi) of radioactive material or less than 740 GBq (20 Ci) of tritium, and (b) the licensing reviewer has made a determination that the applicant is qualified by training and experience and has adequate facilities and equipment to safely use and handle the requested quantity of radioactive material in unsealed form. Thus, the applicant would not have to rely on the intrinsic safety of the sealed source or device to demonstrate compliance with 10 CFR 30.33.

Therefore, Phillip Morris does not need an SSD evaluation for the use of an equivalent source in this device. However, an amendment to Phillip Morris's possession license for use of the new source will be required. Please contact your licensing officer in NRC Region I office to amend your license.

Please contact me if you have any additional questions regarding the need for an SSD registration.

Sincerely,

Nima Ashkeboussi
Mechanical Engineer
Material Safety and Inspection Branch
U.S. Nuclear Regulatory Commission
Mail-Stop T-8F3
Washington, DC 20555
(301) 415-7637
naa@nrc.gov

Tenhet, Joseph N.

To: Tenhet, Joseph N.
Subject: FW: Radioactive sources

Importance: High

DSS: No

From: Tony Pisani [mailto:Tony.Pisani@molins.com]
Sent: Wednesday, October 27, 2004 6:38 AM
To: Bonnie.Baughan@ccmailsrv.molins.com
Subject: Radioactive sources

Hello Bonnie,
Regard the recent order for 10 sources can you get in touch with Phillip Morris and ask them to check that their 'Certificate of registration and safety Analysis summary Device' issued by N.R.C. refer to 'Model SIF Q 2874' as a Sealed Source Model Designation. If it does can you ask them to notify the N.R.C. that Model SIF Q 2874 no longer exists and is superseded by Model SIF K 2365. All dimensions and Isotope and Activity (Sr90, 25 millicuries) remain the same,

Regards

Tony

RPS Saunderton

AEA Technology QSA GmbH • Postfach 11 37 • 38001 Braunschweig

Molins Ltd.
Mr. Tony Pisani
United Kingdom

**AEA Technology
QSA GmbH**

Gieselweg 1
38110 Braunschweig
Postfach 11 37
38001 Braunschweig
Germany
Tel. +49 (0) 5307 932-0
Fax +49 (0) 5307 932-293

2004-12-17

Tel. -153, Fax -194

Letter of compliance

Dear Mr. Pisani,

The internal arrangement of our product code SIFQ2874 has been modified to improve the temperature stability of the output. The spring and silver wire have been omitted and replaced by welding the inner capsule to the outer capsule. There have been no changes to the activity (925MBq), nuclide (Sr90) or to the external dimensions of the source. The product code for this modified design is the SIFK2365 according to drawing VZ-2530.

Pls find attached the current drawing VZ-2530 for your consideration.

Hope this will meet your requirements.

Kind regards

AEA Technology QSA GmbH

i. A.

Susanne Stempel

Enclosure
VZ-2530

This is to acknowledge the receipt of your letter/application dated

12/20/2004, and to inform you that the initial processing which includes an administrative review has been performed.

AMEND. 45-00385-06
There were no administrative omissions. Your application was assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information.

Please provide to this office within 30 days of your receipt of this card

A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned **Mail Control Number** 136195.
When calling to inquire about this action, please refer to this control number.
You may call us on (610) 337-5398, or 337-5260.

BETWEEN:

License Fee Management Branch, ARM
and
Regional Licensing Sections

: (FOR LFMS USE)
: INFORMATION FROM LTS
: -----
:
: Program Code: 03120
: Status Code: 0
: Fee Category: 3P
: Exp. Date: 20140630
: Fee Comments: _____
: Decom Fin Assur Reqd: N
: ::

LICENSE FEE TRANSMITTAL

A. REGION I

1. APPLICATION ATTACHED

Applicant/Licensee: PHILIP MORRIS U. S. A.
Received Date: 20041227
Docket No: 3006510
Control No.: 136185
License No.: 45-00385-06
Action Type: Amendment

2. FEE ATTACHED

Amount: _____
Check No.: _____

3. COMMENTS

Signed M.A. Perkins
Date 12/27/2004

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 _____