U.S. NUCLEAR REGULATORY COMMISSION **TELEPHONE CONVERSATION RECORD**	Conversation Date: 1/19/05 Time: 14:00	
Mail Control No.: None	License No.: 37-00448-19	Docket No.: 03007551
Licensee/Applicant Participant(s): Karen Colucci, RSO	Organization: Albert Einstein Hospital	Telephone No.: 215-456-6264
Person(s) Calling: Randolph C. Ragland, Jr., 610-337-5083		
Subject: Question on the transfer of Depleted Uranium		

Summary:

Ms. Colucci stated that Albert Einstein Hospital had a Varian linear accelerator containing depleted uranium (DU) that they wanted to transfer to Technical Options, Inc. in Newark, OH (Steve Andrews, President, 1-800-322-0802). She asked the following question: Can a Specific Licensee, with DU appearing on the specific license, transfer a Varian Linear Accelerator containing DU to a General Licensee (GL) in an Agreement State?

Answer: A Specific Licensee can transfer to a 10 CFR 40.25 General Licensee as long as the Depleted Uranium was manufactured under a 10 CFR 40.34 licensee (or equivalent) such as Varian. Reference: Gary Comfort 12/7/05 e-mail to R. Ragland.

In the case where the transferee receives the DU pursuant to a GL contained in an Agreement States's regulation equivalent to 10 CFR 40.25, the transferor shall furnish the transferee a copy of 10 CFR 40.25 and a copy of From NRC 244 accompanied by a note explaining that use of the product or device is regulated by the Agreement State under requirements substantially the same as those in 10 CFR 40.25. Within 30 days of any transfer, the transferor shall report in writing to the Director, Division of Industrial and Medical Nuclear Safety, with a copy to the Regional Administrator of the appropriate U.S. NRC Regional Office, the name and address of the person receiving the source material pursuant to this transfer.

Mr. Ragland added that the transfer should be performed in accordance with 49 CFR 173.426, and Albert Einstein Hospital should retain a copy of the shipping documents as proof of the transfer. A license amendment request should then be made to remove the DU from Albert Einstein's NRC license.

Action Required/Taken: R. Ragland to enter this Telecon to Docket 03007551	
Prepared By: Randolph C. Ragland, Jr.	Date: 1/19/05

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