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**U.S. Customs and
Border Protection**

JAN 9 2006

John D. Kinneman
Chief, Materials Security and Industrial Branch
Division of Nuclear Materials Safety
U.S. Nuclear Regulatory Commission
Region 1
475 Allendale Road
King of Prussia, Pennsylvania 19406-1415

08-17447-01
03012771

Dear Mr. Kinneman:

This correspondence responds to your November 1, 2005, letter concerning your determination that contractors can perform repairs on our gamma machines at sites under federal jurisdiction or at sites where the activities are conducted by U.S. Customs and Border Protection personnel.

We concur with your explanation. We interpret further that our license will also extend to maintenance of another gamma system manufactured by Rapiscan, the Gards, with a one-curie Cobalt-60 source we are now procuring. Qualified contractor work will be limited to U.S. Customs and Border Protection sites in order to preserve the integrity of exclusive federal jurisdiction.

Offsite repairs of these gamma systems e.g., boom maintenance, will continue to require coordination by either Science Applications International Corporation or Rapiscan with Agreement States or with the appropriate NRC Regional Office as appropriate.

Our point of contact is Richard T. Whitman, the U.S. Customs and Border Protection Radiation Safety Officer. He may be reached telephonically at (317) 614-4843 or at richard.t.whitman@dhs.gov on email.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary T. McMahan", written over a horizontal line.

Gary T. McMahan
Director, Occupational Safety and Health