



DRCSE-P

DEPARTMENT OF THE ARMY
HEADQUARTERS US ARMY MATERIEL DEVELOPMENT AND READINESS COMMAND
5001 EISENHOWER AVENUE, ALEXANDRIA, VA. 22333

15 March 1982


Director
Nuclear Material Safety and Safeguards
ATTN: Radioisotopes Licensing Branch, Mr. John Hickey
US Nuclear Regulatory Commission
Washington, DC 20555

Dear Mr. Hickey,

Forwarded is US Army Communications-Electronics Command letter requesting an official NRC interpretation of Condition 12 of Byproduct Material License Number 29-01022-11.

Please acknowledge receipt of correspondence on inclosed DA Form 209 Mail Reply Card.

Sincerely,


DARWIN N. TARAS
Chief, Health Physics
Safety Office

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as

U.S. ARMY
MATERIEL DEVELOPMENT
AND READINESS
COMMAND
MAIL SECTION

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DEPARTMENT OF THE ARMY
HEADQUARTERS US ARMY COMMUNICATIONS-ELECTRONICS COMMAND
AND FORT MONMOUTH
FORT MONMOUTH, NEW JERSEY 07703

REPLY TO
ATTENTION OF:

DRSEL-SF-H

10 March 1982

SUBJECT: US Nuclear Regulatory Commission (NRC) Byproduct Material License
Number 29-01022-11

Commander
US Army Materiel Development and Readiness Command
ATTN: DRCSF-P
5001 Eisenhower Avenue
Alexandria, Virginia 22333

1. Reference is made to FONECON, 10 March 1982, between Mr. Barry J. Silber and Ms. Patricia A. Elker, CECOM Safety Office, and Mr. John Hickey, NRC Materials Licensing Branch, subject as above.
2. Recent inspection of this command's radiation protection program by representatives of the US Army Environmental Hygiene Agency (AEHA) revealed discrepancies in the interpretation of Condition 12 of subject license. Condition 12 states that "licensed material shall be used by, or under the supervision of, individuals designated by the licensee and trained in accordance with TM 3-6665-264-10 as amended June 14, 1979."
3. AEHA is interpreting Condition 12 to mean that this command must officially designate individuals to utilize the licensed material, i.e. the MX-7338/PDR-27R Radioactive Test Sample incorporating 5 millicuries of ⁸⁵Krypton.
4. Reference 1 indicated that the NRC intent regarding Condition 12 was to assure that individuals utilizing the MX-7338/PDR-27R were properly trained and not for this command to officially "designate" individuals to utilize the MX-7338/PDR-27R.
5. Based upon the above, request official NRC interpretation of Condition 12 to preclude further citations by Army inspection teams regarding this condition. Should NRC interpretation deviate from paragraph 4 above, request Condition 12 to subject license be amended with a suitable statement authorizing use of the MX-7338/PDR-27R by Department of Defense personnel.

FOR THE COMMANDER:

Bm Savaike
BERNARD M. SAVAIO
Chief, Safety Office

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