December 12, 2007

American Nuclear Products
1232 East Commercial
Springfield, MO 65803

Attn: Radiation Safety Officer

SUBJECT: Transfer of Registration Certificates for Certain Sealed Sources or Devices to NRC

The purpose of this letter is to notify you of the transfer of jurisdiction over certain sealed source and device (SSD) registration certificates from States to U.S. Nuclear Regulatory Commission (NRC). Prior to the Energy Policy Act of 2005 (EPAct), NRC had no jurisdiction over naturally occurring radioactive material, such as radium-226, or radioactive material produced in a particle accelerator (NARM). The State radiation control programs held full regulatory authority over NARM, including the authority to prepare and maintain registration certificates finding SSDs containing NARM suitable for licensing and distribution.

The EPAct expanded the definition of byproduct material to include certain NARM. The implementation of the expanded definition discontinued the authority of States to prepare or maintain registration certificates finding SSDs containing the newly defined byproduct material suitable for distribution to persons exempt from licensing. It also discontinued the authority of States that do not have an Agreement with the NRC under section 274b of the Atomic Energy Act to issue or maintain any registration certificates for SSDs containing the new byproduct material. NRC assumed a regulatory authority over these registration certificates when the NRC final rule on the Expanded Definition of Byproduct Material became effective on November 30, 2007.

Enclosed for your information is a list of the affected NARM SSD registration certificates issued for your company. No immediate response to this letter is required. NRC will arrange with the States that issued the certificates to transfer the certificate files. We will then issue new registration certificates to you. In case we need some additional information from you, we will contact you directly. In the future you will need to contact NRC regarding any change to the registration certificates.

If you have any questions regarding this letter, please address them to the NRC point of contact named below.

POINT OF CONTACT: Richard Blanton INTERNET: rlb@nrc.gov
TELEPHONE: (301) 415-7904 FAX: (301) 415-5369

/RA/

Janice Owens, Acting Chief
Sealed Source Safety and Security Branch
Office of Federal and State Materials
and Environmental Management Programs

Enclosure:
List of Sealed Source
and Device Registry Certificates

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Janice Owens, Acting Chief
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and Environmental Management Programs

Enclosure:
List of Sealed Source
and Device Registry Certificates

Distribution: DCD (SP03)
DMSSA RF
J Jankovich, FSME/DMSSA
K Lukes, FSME/DMSSA

ML073440288

OFFICE	FSME/DMSSA		FSME/DMSSA					
NAME	RLBlanton:		JOwens					
DATE	12/12/07		12/12/07					

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