



**American
Red Cross**

Together, we can save a life

Blood Services
Penn-Jersey Region
Musser Blood Center
700 Spring Garden Street
Philadelphia, PA 19123-3594
(215) 451-4000
1-800-GIVE LIFE
www.pleasegiveblood.org

January 17, 2008

NMSB2

Mona S. Williams
Chief, License Fee Team
U.S. Nuclear Regulatory Commission
Division of Financial Management
11555 Rockville Pike
Rockville, MD 20852-2738

Sandra Gabriel
U.S. Nuclear Regulatory Commission
Region I
Nuclear Material Section B
475 Allendale Road
King of Prussia, PA 19406

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REGION 1
2008 JAN 23 AM 10:56

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RE: License No. 37-15434-01
American Red Cross Blood Services (ARCBS)

Dear Ms. Williams & Ms. Gabriel:

Pursuant to yesterday's conversation with Ms. Williams, I am writing to formally request alteration to our license in order to rectify issues uncovered by the recent audit of your fee billing process. ARCBS has had this license for *in vitro* research use of byproduct material for many years. Nuclides had not been in use since at least 2000, but the ARCBS Penn-Jersey Region decided open a cell labeling laboratory to conduct *in vivo* cell survival studies in 2004. As such, license renewal correspondence dated January 29, 2004 requested approval for this. Neither NRC nor we recognized that this represented a new billable use (7C) for this activity. We assumed that cell survival studies in research volunteers were covered under the billed research use (3M) and had further anticipated that lapsed *in vitro* research use might re-start in 2006. (It did not.)

Your correspondence dated December 10, 2007 noted that NRC made a billing error and requested back-payment for the additional 7C activity from 2004. Since we have not conducted any 3M-billable research during that period of time, we are requesting that our back-bills be adjusted to only reflect our 7C use during this period. We recognize that ARCBS should have been billed a \$1,900 fee for the 2004 license amendment, but 7C rather than 3M nuclide use over the 3 previous years represents a \$3,300 credit owed to ARCBS. In addition to the resulting net \$1,400 credit, we would request that our license be amended to reflect only 7C use, namely: any

Please Give Blood.

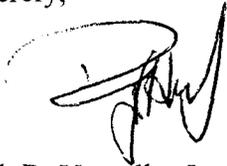
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NMSE/RGN1 MATERIALS-002

uptake, dilution and excretion study permitted by 10 CFR 35.100 (including the use of nuclides required as dose calibrator reference sources). As such, our 10/1/07-9/30/08 invoice (AM0746-08) should be amended to reflect only the \$4,900 7C charge and \$1,400 credit for a net charge of \$3,500. Invoices AM0757-05, AM0777-06 and AM0748-07 should be voided and the fee for license amendment 13 marked as paid.

Thank you both for your attention to this matter. Please feel free to contact me if you have questions.

Sincerely,



Ralph R. Vassallo, Jr., MD, FACP
Heritage Division Chief Medical Officer
ARCBS Penn-Jersey Radiation Safety Officer

~~Encl. 5 invoices~~

RRV

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

1/17/2008, and to inform you that the initial processing which includes an administrative review has been performed.

AMEND. 37-15434-01
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** 141658.
When calling to inquire about this action, please refer to this control number.
You may call us on (610) 337-5398, or 337-5260.