

May 23, 2008

MEMORANDUM TO: The File

FROM: Stephen Dembek, Branch Chief */RA/*  
Export Controls and International Organizations  
Office of International Programs

SUBJECT: COORDINATION WITH CALIFORNIA REGULATOR  
REGARDING ISSUANCE OF LICENSE AUTHORIZING  
THE IMPORT OF RADIOACTIVE MATERIALS IN  
QUANTITIES OF CONCERN

On May 21, 2008, in response to an application submitted by Scripps Research Institute (SRI) requesting authority to import Category 1 quantities of Cesium-137, the NRC notified John Fassell of the State of California's Health and Human Services Agency that the NRC will soon issue the Import License IBP101 to SRI.

It was noted that Condition 23 of SRI's state material possession license required SRI to comply with the requirements described in the Department of Public Health, Radiologic Health Branch letter, with attachment entitled "Increased Controls for Licensees that Possess sources Containing Radioactive Material Quantities of Concern", dated November 15, 2005. SRI shall complete implementation of said requirements within 6 months from the issuance of the license amendment or the first day that radionuclides in quantities of concern are possessed at or above the limits specified in table 1 of the attachment, whichever is later. Within 2 days after the implementation of the requirements of this condition, SRI shall notify the radiologic health branch in writing that it has completed the requirements of this condition.

In light of this, NRC contacted John Fassell of California's Department of Public Health and left a message on his voicemail system informing him that SRI will be receiving an import license, the use of which would require SRI to comply with the above-described requirements. In addition, NRC contacted Ms. Lauren B. Labbe' who authorized the previous material possession license and made her aware of the imminent issuance of SRI's import license. At her suggestion, we also contacted Mr. Ira Schneider, who is tabulating these responses, and alerted him that SRI would soon be subject to these requirements. NRC is now confident that the State of California is aware of SRI's capability to receive via an import Category 1 quantities of Cesium-137.

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