

Best[®]
Theratronics

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413 March Road
Ottawa, Ontario
Canada K2K 0E4
Tel: 613-591-2100

June 1, 2009

United States Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555

SUBJECT: REPLY TO A NOTICE OF VIOLATION

Best Theratronics respectfully submits that a violation of 10 CFR 71 had occurred as described in the United States Nuclear Regulatory Commission's notice of violation dated May 29, 2009.

(1) Reason for violation

During the transition of a previously affiliated company to Best Theratronics, the requirements of 10 CFR 71 had not been properly communicated and acted on which led to the failure to meet the regulations. This oversight was hampered by the untimely death of one of the transition team members.

(2) Corrective steps which have been taken and the results achieved

- (a) Best submitted a request to have the NRC review and, if acceptable, approve the quality assurance program description
- (b) Best stopped shipping radioactive materials in Type B packages in consideration of NRC concerns
- (c) Best submitted a request to the NRC to be a registered user of the transport packages which have been taken ownership of
- (d) Best has conducted an internal investigation of how the violation occurred
- (e) Best has modified the process for conducting shipping reviews prior to shipping
- (f) Best attended a public meeting at the NRC to discuss the violation
- (g) Best is pursuing a license through submittal of QA program approval and approval as a registered user

(3) Corrective steps that will be taken to avoid further violations

Best has revised the shipping review process to ensure that further violations do not occur on an ongoing basis. All the necessary actions have been completed to ensure that this violation is addressed and can be closed.

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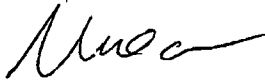
(4) Date when full compliance will be achieved

Full compliance will be achieved once Best's quality assurance program is approved and Best becomes a registered user of the transport packages. This is expected to be by June 5, 2009.

Best Theratronics has provided the NRC with information and data to support the above statements from a period of March 3, 2009 until present, including a more detailed description of the sequence of events.

Best remains committed to regulatory compliance and to open and honest communication with the US NRC.

Respectfully,



Mike de van der Schueren
Director, Compliance
613-591-2100 ext. 2488
mdvds@theratronics.ca

Copy: David W. Pstrak
Chief, Rules, Inspections, and Operations Branch
Division of Spent Fuel Storage and Transportation
Office of Nuclear Material Safety and Safeguards