neutron products inc

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18 December 2009

Via FAX: (301) 492-3348

Mr. William Brach
Division of Spent Fuel Storage and Transportation
Office of Nuclear Material Safety and Safeguards
Mail Stop EBB-3D02M
US Nuclear Regulatory Commission
One White Flint North
11555 Rockville Pike
Rockville, Maryland 20852-2738

Re: Authorization for a one-time shipment in package serial number OP-10/TC 6, of the model No. NPI-20WC-6 MKII (TAC No. L24364)

Dear Mr. Brach,

I am writing to report that it now appears likely that the return shipment of OP-10/TC 6 from Brazil will not be completed by the December 31, 2009 expiration date for the one-time authorization referenced above, and to request a 90 day extension of that authorization.

Since we received the authorization, we and our Brazilian counterpart have been working to effect the prompt return of the package. However, the University has encountered multiple problems in completing the shipment. Neutron is not the shipper of record for this return shipment, nor can we apply for the re-export license necessary to ship the package back from Brazil. Thus, our efforts have been focused on communicating a sense of urgency for completing the shipment in a timely manner.

We were informed that Brazilian regulatory approval for the shipment had been received and that the University was applying for the re-export license on September 5. The package was reportedly ready to leave the University on September 24. However, we subsequently learned that the temporary admission for the package had expired before the shipment could be effected so that the University had to wait until an extension of the temporary admission had been granted before continuing with the re-export process.

In October, it appeared that the paperwork issues had been straightened out and the package was sent to the airport for export. However, at customs, a discrepancy in the paperwork was

identified which required the entire process to be restarted anew.

By late November, we were informed that everything was in place to enable the University to reinitiate the re-export process, which normally takes an additional 10 days or so. Shipment was expected by December 5. The export was registered on December 3, however the inspection in customs had not yet been completed and it is our understanding that the inspection is happening now. The shipment is currently scheduled for December 28, although we are told that it is still possible that it could be moved to an earlier date if everything falls into place.

Based upon the difficulties encountered thus far and the fact that the Holidays are upon us, we are not confident that the shipment will be completed by year end.

Over the years, we have made many shipments to and from Brazil. The time it takes to get the package returned varies considerably, as the process is heavily dependent upon the hospital or university to whom the new source was shipped. When we requested an expiration date of 12/31/2009, we had built in time for contingencies and were confident that we would have the package back in San Antonio long before that. However, due to the difficulties described above, this was not the case. Again, we expect to get the package back in January, but we have asked for 90 days to provide time for additional unanticipated problems.

Thank you for your consideration in this matter and we look forward to hearing from you.

Sincerely,

Bill Ransohoff
Director of Operations
Neutron Products inc

cc: R. Boyle, Department of Transportation
E. Benner, Nuclear Regulatory Commission
M. Sampson, Nuclear Regulatory Commission