



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

March 30, 2010

Docket No. 03029462

License No. 45-23645-01NA

CAPT Lino Fragoso, Ph.D.
Executive Secretary
Naval Radiation Safety Committee
Office of the Chief of Naval Operations
Radiological Controls Branch
2000 Navy Pentagon (NC-1 Suite 2000)
Washington, DC 20350-2000

SUBJECT: NAVY LETTER DATED FEBRUARY 19, 2010

Dear CAPT Fragoso:

This is in response to your letter dated February 19, 2010, requesting a Technical Assistance Request (TAR) clarifying Condition No.10 of your Master Materials License (MML) No. 45-23645-01NA. After reviewing your request and the license condition we have determined that a TAR is not required.

License Condition No. 10 states that "Licensed material may be used at Department of the Navy facilities by: (1) Department of the Navy personnel as authorized by permits issued by the Naval Radiation Safety Committee; and (2) users who are not Department of the Navy personnel when such use is authorized by the Naval Radiation Safety Committee and is conducted in work spaces under the control of the Department of the Navy or Department of Defense.

The situation described in your letter appears to meet these criteria. Provided you meet the conditions described above and the Naval Radiation Safety Committee issues the permit to individuals working in Navy or DOD work space; there is no other NRC license authorizing the use of licensed materials in the same space; and the Naval Radiation Safety Committee accepts all responsibility for licensed activities under the permit, you may issue a permit under your MML to the Joint Task Force National Capitol Region Medical.

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, Academic, and Industrial Uses of Nuclear Material**; then **Regulations, Guidance, and Communications**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 8:00 p.m. EST, Monday through Friday (except Federal holidays).

L. Fragoso

2

If you have any questions, please call Orysia Masnyk Bailey at (864) 427-1032.

Sincerely,

Original signed by Mark Roberts For

Judith A. Joustra, Chief
Materials Security and Industrial Branch
Division of Nuclear Materials Safety

L. Fragoso

2

If you have any questions, please call Orysia Masnyk Bailey at (864) 427-1032.

Sincerely,

Original signed by Mark Roberts For

Judith A. Joustra, Chief
Materials Security and Industrial Branch
Division of Nuclear Materials Safety

DOCUMENT NAME: G:\WordDocs\Current\Misc Letter\L45-23645-01NA.TARRequest.doc

SUNSI Review Complete: OMBailey

After declaring this document "An Official Agency Record" it will be released to the Public.

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/ attach/encl "N" = No copy

OFFICE	DNMS/RI	N	DNMS/RI	N	DNMS/RI		
NAME	OMasnyk Bailey		JJoustra MCR for				
DATE	3/30/2010		3/30/2010				

ML100900276

OFFICIAL RECORD COPY