



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

July 31, 2010

Docket No. 030-33025
Control No. 573182

License No. 06-30007-01

K. Paul Steinmeyer, RRPT
Radiation Safety Officer
Radiation Safety Associates, Inc.
19 Pendleton Drive
P. O. Box 107
Hebron, CT 06248

SUBJECT: RADIATION SAFETY ASSOCIATES, INC., CLARIFICATION OF DISTRIBUTION
UNDER 10 CFR PART 40, CONTROL NO. 573182

Dear Mr. Steinmeyer:

This is in reference to your letter dated July 13, 2010, requesting clarification of the NRC regulations for distribution of check sources containing nickel-thorium alloy, a source material that is regulated under 10 CFR Part 40.

At this time, the regulations in 10 CFR Part 40 do not require a specific license for the manufacturing or distribution of source material which is intended for distribution to persons who are exempt from licensing, or to persons who may possess the material pursuant to a general license. A proposed rule "Distribution of Source Material to Exempt Persons and to General Licensees and Revision of General; License and Exemptions" was published in the Federal Register, Volume 75, Number 142, on Monday, July 26, 2010, which may impose such requirements in the future. A copy of the proposed rule is enclosed for your information, and it includes instructions for submitting comments about the proposed rule.

Please note that the nickel-thorium alloy check sources that you propose for transfer do not meet any of the exemptions listed in 10 CFR 40.13, or any of the other Part 40 exemptions. Therefore, you may not transfer the nickel-thorium alloy check sources to persons who are exempt from the requirements of a license.

Pursuant to 10 CFR 40.22, the check sources you propose may be transferred to "...commercial and industrial firms, research, educational and medical institutions and Federal, State and local government agencies...for research, development, educational, commercial, or operational purposes." This general license does not authorize individuals to possess and use source material. The check sources you propose may also be transferred to persons who are authorized by a specific license to possess such source material.

K. Steinmeyer, RRPT

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Please contact Betsy Ullrich of my staff at (610) 337-5040 if you have additional questions regarding source material. Your cooperation is appreciated.

Sincerely,

Original signed by James P. Dwyer

James P. Dwyer, Chief
Commercial and R&D Branch
Division of Nuclear Materials Safety

Enclosure:

Federal Register, Vol. 75, No. 142, pages 43425-43446

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