

Campbell, Vivian

From: Danny Schroeder [dannys@mtsinspection.com]
Sent: Thursday, September 23, 2010 7:03 AM
To: Howell, Art; charles.cain@nrc.gov; Campbell, Vivian; Collins, Elmo
Subject: Matting Testing Services request for relaxation of Order EA-10-100

Mr. Collins,

I hereby request relaxation of modification #4 to License 25-21479-01 as required by Order EA-10-100. Modification #4 states, "The licensee shall remove from its possession all NRC-licensed material acquired or possessed under the authority of License 25-21479-01 within 30 days of the date of this Order, either by transferring the material to the manufacturer or to another entity authorized to possess that material." I respectfully request that this modification be relaxed to allow the licensee 60 days rather than 30 to remove from its possession all NRC-licensed material. I have started my own company and have submitted a Radioactive Materials license application to the NRC. My company's application for material license is being processed expeditiously, and an extension of the deadline for transfer would save both Mattingly Testing Services, Inc. and my company substantial expense if it is approved quickly and Mattingly were able to transfer the licensed material to me rather than shipping it back to the manufacturer.

All technicians that previously had access to the licensed material, with the exception of myself and the ARSO, have had their alarm access removed. This has been verified in a letter from the security company. The ARSO and I are the only two individuals with keys and security access to the materials room, and we have retained this access for administrative responsibilities only to ensure that the material is transferred as ordered.

Order EA-10-100 mandates that 5 days notice be given prior to transfer of the licensed material. If relaxation of this modification is not granted, the material must be shipped by Saturday, October 2nd, which means that notification must be given by no later than Monday, September 27th. Because of this, I request that a response to this request be provided before the end of the day on Friday, September 24th. Thank you.

If you have any questions, please do not hesitate to contact me directly.

406-697-0608

Sincerely,

Danny Schroeder

RSO