

**U.S. NUCLEAR REGULATORY COMMISSION  
TELEPHONE CONVERSATION RECORD**

**Date:** November 29, 2011

**Mail Control or Report No(s).** N/A      **License No(s).** General Licensee      **Docket No(s).** 99990001

**Name of Non-Licensee:** Chem Scope, Incorporated  
**Name of Participant(s):** Scott Arena, Responsible Individual  
Steven R. Courtemanche, Health Physicist NRC RI  
**Telephone No.** 203-865-5605, 610-337-5075  
**Subject:** NARM Reconciliation Project

(NOTE: This will be used as the Documents Title in ADAMS)

11/21 and 22/2011 Mr. Arena left messages on my voice-mail indicating that the general license labels had been applied in accordance with RMD's instructions, that upon speaking with a representative of RMD the gauges could be used without further notification to the NRC, questions regarding whether the CT DEP still requires registration, and the regulatory authority of Agreement States.  
11/29/2011 (10:30) I spoke with Mr. Arena about the concerns he raised in his 11/21 and 22 phone calls. I thanked Mr. Arena for the information about the application of the general license labels and asked when the labels had been applied. I inquired when they had been applied and when the gauges were next used. He stated that the labels were applied on 11/21 and the gauges were not used until 11/22. Mr. Arena indicated that the CT DEP had recently submitted an invoice to Chem Scope requesting payment for the registration of the company's XRF devices. Since the phone message, Mr. Arena had spoken with a representative of the CT DEP who explained why the state continues to register devices containing radioactive material and that Mr. Arena was satisfied with the answer. I explained to Mr. Arena the definition of Agreement and Non-Agreement States and how, Connecticut being a Non-Agreement State, the NRC had regulatory authority over all radioactive materials. I thanked Mr. Arena for the information that he provided me and his patience. I informed Mr. Arena that the NRC would be issuing a letter documenting its findings and exercising discretion in not citing a violation.

**Action Required: Document this telephone record in the Docket listed above and the RI NARM folder in ADAMS (ID No. 1303408177).**

**Document Availability:**       **Publicly Available**       **Non-Publicly Available**  
 **Non-Sensitive**       **Non-Sensitive Copyright**       **Sensitive- Proprietary**  
 **Sensitive – Privacy Act/ PII**       **Sensitive – Internal**       **Sensitive – Security-Related**  
 **Immediate Release**      **Normal Release Date: 12/7/2011**      **Delayed Release Date:**  
**SUNSI Review Completed By:** Steven R. Courtemanche / RA /      **Document Accession #:** ML113330364