

Meeting Summary January 30, 2012

The stated purpose of the January 30, 2012, meeting of representatives of Ideal Source Quality Assurance, Inc., Ostro Minerals (UK) Ltd., and NRC staff was to discuss (1) incorporation of Ideal Source Quality Assurance into the Ostro family of companies; (2) the issue of Na-22 and other isotopes produced by electron irradiation not listed in the tables of exempt concentrations; (3) enforcement of the rules for the distribution of irradiated topaz.

Using the format of the agenda, the meeting is summarized below.

I. Introductions and Opening Remarks

The participants introduced themselves, and the purpose of the meeting was restated.

II. Incorporation of Ideal Source Quality Assurance (ISQA) into the Ostro family of companies.

The representatives of ISQA and Ostro requested information about the NRC's requirements with regard to a change of ownership that would allow ISQA's exempt-distribution license to be transferred to Ostro. The NRC representatives informed them of the guidance in NUREG-1556, Volume 15, "Consolidated Guidance About Materials Licenses: Guidance About Changes of Control and About Bankruptcy Involving Byproduct, Source, or Special Nuclear Materials Licenses," which is available on the NRC's public web site at <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/v15/>.

III. Na-22 and other isotopes produced by electron irradiation not listed in the tables of exempt concentrations.

This refers to radionuclides that are not specifically listed in the table in 10 CFR 30.70, but rather are grouped in the last entry, "beta and/or gamma emitting byproduct material not listed above with half-life less than 3 years." This table was developed when the radionuclides of concern were primarily those produced within nuclear reactors. However, it was noted that the final rule published October 1, 2007 (72 FR 55863) amended the Commission's regulations to incorporate the new categories of byproduct material added by the Energy Policy Act of 2005 (EPA Act). The representative of ISQA expressed his concern that a dose-based consideration of the radiological impact of these new categories (in particular Na-22) would result in a higher allowable concentration than is currently permitted by 10 CFR 30.70. He indicated an interest in having the NRC consider whether an exemption to this requirement would be feasible. He indicated that the technological capability does not exist to analyze for Na-22 at such a low level in gemstones. The NRC representatives indicated that they would discuss among themselves such an exemption and their level of support should an application for the exemption be submitted, and inform him of the outcome.

IV. Enforcement of the rules for the distribution of irradiated topaz.

The representatives of ISQA and Ostro discussed a proposed method for traceability of irradiated gemstones that they believe could lessen the likelihood that irradiated gemstones from unlicensed distributors could enter the market. The NRC representatives indicated that such an initiative would have to be coordinated through representatives of

the gemstone industry because it is outside the scope of the NRC's regulatory authority.

V. The representative of ISQA inquired about the status of an amendment request he had submitted in mid-December. It was determined that this request had not yet been entered into the License Tracking System. The NRC representatives said they would locate the license amendment and enter it into the standard review process.

VI. Discussion

Kevin O'Sullivan briefly summarized the topics of discussion and stated that NRC staff will:

- forward to ISQA the link to NUREG-1556, Vol 15, to provide information about change of control and foreign ownership of a company that has been issued a specific license for byproduct material.
- discuss within the Licensing Branch the different options in the event that ISQA files an amendment requesting exemption to the requirements of 10 CFR 30.70 for irradiated topaz with containing Na-22.
- process the license amendment submitted by ISQA through NRC's existing procedure and schedule.

Mr. O'Sullivan thanked everyone for their participation and concluded the meeting.

The enclosure is the list of meeting attendees. The staff did not make any regulatory commitments at the meeting.

Enclosure: List of Meeting Attendees

List of Meeting Attendees

NRC

Kevin O'Sullivan
J. Bruce Carrico
Shirley Xu
Richard Struckmeyer

Ideal Source Quality Assurance, Inc.

William Yelon

Ostro Minerals (UK) Ltd.

Maurice Ostro

Enclosure