



February 27, 2013

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03037315/2012001  
15000020/2013001

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Ramon K. Lorson  
Director, Division of Nuclear Materials safety  
United States Nuclear Regulatory Commission  
Region 1  
2100 Renaissance Boulevard, Suite 100  
King of Prussia, Pennsylvania 19406-2713

20-32465-02

REC'D RG1 0305 13 AM 0721

SUBJECT: RESPONSE TO AN APPARENT VIOLATION IN INSPECTION REPORT NOS. 03037315/2012001  
AND 15000020/2013001; EA-13-012

Dear Mr. Lorson:

This letter addresses the finding identified during the agency inspection conducted from August 28, 2012 through January 10, 2013.

**FINDING:**

Based on the inspection and review of the licensee's report received September 25, 2012, the inspector determined that an apparent violation of 10 CFR 150.20(b)(1) occurred. Specifically, the licensee did not file for reciprocity, as required, on one occasion for work at a temporary jobsite in NRC jurisdiction between April 16, 2012, and April 21, 2012.

**REASON FOR THE APPARENT VIOLATION:**

During an independent audit of Bruker's Radiation Safety Program the auditor pointed out that a representative of the NRC might have questions about reciprocity during the next inspection. The RSO then reviewed the regulations pertaining to reciprocity in 10 CFR 150 and the NRC exempt distribution license and mistakenly came to the conclusion that Bruker was exempt from the regulations.

**CORRECTIVE ACTIONS:**

1. Bruker Detection Corporation (BDC) is contacting Agreement States where trade shows will be conducted to determine reciprocity requirements.

Results achieved: To be completed by April 26, 2013.

2. Bruker will maintain a list of requirements for each Agreement State.

NMSS/IRONI MATERIALS-004



Results achieved: To be completed by April 26, 2013.

3. Bruker have documented procedures for filing with the NRC and Agreement State immediately upon determining that a trade show demonstration is scheduled for a site under NRC or Agreement State Jurisdiction.

Results achieved: Completed February 27, 2013.

4. Provide training for all sales agents in reciprocity requirements.

Results achieved: To be completed by April 26, 2013.

Mr. Lorson, I believe the actions we have taken shall ensure related activities are conducted in accordance with the rules and regulations of the USNRC and Agreement States. Should you need anything else, please feel free to contact me at [jbr.bdal.com](mailto:jbr.bdal.com) or call (978) 663-3660, Ext 1333

Sincerely,

A handwritten signature in black ink, appearing to read "J. Brian Turk".

J. Brian Turk  
Vice President of Operations