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May 31, 2013

**Alexander Adams Jr., Chief**  
Research and Test Reactors Licensing Branch  
U.S. Nuclear Regulatory Commission  
MS O-12-D-21  
Washington, DC 20555

**RE: NRC Request for Conditional Broadscope State License**

Dear Mr. Adams,

Please recall that on March 22, 2012, UC Davis MNRC submitted an application for pursuing a Radioactive Material License for Research & Educational activities under the California Department of Public Health (CDPH) Radiological Health Section (RHS) guidelines.

Due to the location change of the radiochemistry laboratory to within the current MNRC fence line, a Modified License Application is being prepared under the guidelines provided by CDPH-RHS.

Our intention is to initiate research activities as soon as our new radiochemistry laboratory is completed and approved with a license that will be limited to R&D with non-volatile isotopes. In particular, the State License will prohibit work that includes the use of I-125/Xe-125 production that is to be licensed under our planned NRC License Amendment under preparation.

As a condition for approval under terms and conditions largely agreed upon, our State regulators have requested that NRC provide a written statement to the MNRC expressing an approval for a limited area of the MNRC being subject to dual regulatory authority such that it would be a place of use under both licenses.

Dual regulatory authority is proposed to exist within the current fence-line and within a limited area. Specifically, the State will only have jurisdiction within the research laboratory area. NRC will continue to have sole jurisdiction elsewhere within the MNRC boundaries. We intend to comply with all existing NRC regulations as well as any auxiliary restrictions that a State License imposes. Attached please find a floor plan for the area requested to temporary dual licensing

Please note: To renovate the proposed laboratory space into a safe and suitable radiochemistry laboratory, certain modifications are required. These modifications include a new ventilation system in conjunction with other minor non-structural upgrades. Modification **will not** interfere in any way with the operation of the reactor or its associated safety systems; nor will any technical specification of the reactor be changed or altered. It is proposed these non-reactor modifications be approved by CDPH-RHS and the appropriate UCD authorities. It is understood that if the jurisdiction of the laboratory is, in the future, transferred to the NRC under our current reactor license, the details of these modifications must be reflected in a revised safety analysis report and approval by the NRC.

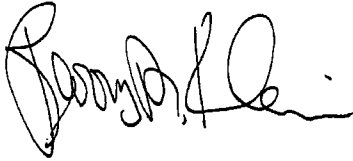
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Termination of the proposed State license would occur once the NRC license amendment is approved to allow MNRC to produce; process and distribute research isotopes including I-125.

Please do not hesitate to contact me for any clarification on this request. Furthermore, you may need to contact Ira Schneider (Ira.Schneider@cdph.ca.gov; or 916-440-7976) for any clarification needed from the CDPH-RBH perspective.

Thanks in advance for your understanding and support on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barry M. Klein', written in a cursive style.

Barry M. Klein  
Director, McClellan Nuclear Research Center  
Professor of Physics  
Vice Chancellor for Research, Emeritus

Attachment: Laboratory Floor Plan

**Radioisotope Sciences Laboratory Layout**

