



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

September 5, 2013

Mr. James Blute, CHP  
Health and Safety Manager / RSO  
Thermo Fisher Scientific  
2 Radcliff Road  
Tewksbury, MA 01876

SUBJECT: RESPONSE TO LETTER REGARDING LATE REPORTING OF AMERICIUM SHIPMENTS AND SELF-DISCLOSURE OF A NON-CITED VIOLATION DATED NOVEMBER 1, 2012

Dear Mr. Blute:

The purpose of this letter is to acknowledge receipt of your letter dated December 17, 2012, in response to the U.S. Nuclear regulatory Commission (NRC) letter dated November 1, 2012, regarding late reporting of americium shipments.

In the letter, you identify the corrective actions that Thermo Fisher Scientific (TFS) has taken or plans to take to address the violation. The NRC has reviewed the corrective actions, which appear to be adequate, and has no further questions at this time. The actions TFS has taken, and plans to take to address the violation may require a future inspection.

Your letter also indicated that during the TFS root cause and corrective action development process, TFS identified that the report describing your 2009 americium shipments was also filed late. Specifically, the report for 2009 was not submitted until January 2011 while it had been due in February 2010. NRC has determined that since this non-compliance was identified during your review of the root cause of the originally described minor violation, the 2009 shipment report will be dispositioned as a non-cited violation consistent with Section 2.3.2 of our Enforcement Policy. The NRC Enforcement Policy may be found on the NRC website at [www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html](http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html). Also, because your response detailing the root cause and corrective actions apply to both examples, no additional information is required.

In accordance with Title 10 Code of Federal Regulations 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have questions regarding this letter, please contact Jeffery Cruz at 301-415-0599 or by email at [Jeffery.Cruz@nrc.gov](mailto:Jeffery.Cruz@nrc.gov).

Sincerely,

A handwritten signature in cursive script, appearing to read "Charlotte Abrams".

Charlotte Abrams, Chief  
Export Controls & International Organizations Branch  
Office of International Programs