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December 3, 2013

License No. 07-01579-19
Docket No. 03010925
NRC Inspection Report No. 03010925/2013001

Mr. Blake Welling
United States Nuclear Regulatory Commission, Region I
2100 Renaissance Boulevard, Suite 100
King of Prussia, PA 19406-2713

Please allow this letter to replace the one dated November 29, 2013, as the earlier letter did not include the footnote shown below.

The University of Delaware acknowledges receipt of your letter of November 19, 2013 directing the University to submit the reason for the violation identified in the NOV dated September 10, 2013.

The Radiation Safety Officer believed that the University, as a State agency, was exempt from the requirement to prepare shipping papers based on RSPA - Letters of Clarification on Hazardous Materials Regulations, Reference No. 04-256 ⁽¹⁾. This belief was never contradicted during previous inspections by NRC staff (2001, 2005, 2008, 2011) when the University's radioactive package transfer procedure was examined.

The University now understands that the exemption does not apply and has made the appropriate corrective and preventative actions.

Please contact the University Radiation Safety Officer, William Fendt, or me if further information is required.

Sincerely,

Dr. Charles G. Riordan
Vice Provost for Research

cc: Mr. William Fendt, Radiation Safety Officer

NMSS/RGNI MATERIALS-004

⁽¹⁾ <http://docketsinfo.dot.gov/reports/rspa/2004-11/040256.pdf>