

SSINS: 6100

AUG 8 1980

MEMORANDUM FOR: A. B. Davis, Chief, FFMS Branch, Region III

FROM: Leo B. Higginbotham, Assistant Director,  
Division of FFMSI

SUBJECT: IML TRANSFER OF Tc-99m DOSES BETWEEN LICENSED  
NRC FACILITIES (AITS F03017780)

The enclosed ELD interpretation on "routine transfer of Tc-99m doses between licensees" was discussed with Carl Paperiello of your staff on 8/6/80.

We understand from reviewing the IAI that was to be issued on 8/7/80, that IML would discontinue all transfers and deliveries of Tc-99m doses from facilities that are not licensed for distribution by the NRC under Part 32.

Leo B. Higginbotham  
Assistant Director  
Division of FFMSI

Enclosure: As Stated

CONTACT: T. Remsen  
49-28188

OFFICE	IE:FFMSI	IE:FFMSI:AD			
SURNAME	T Remsen	LB Higginbotham			
DATE	8/8/80	8/8/80			

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Enclosure



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

May 8, 1980

MEMORANDUM FOR: Tang Remsen, IE  
FROM: Richard G. Bachmann, OELD  
SUBJECT: ROUTINE TRANSFER OF Tc-99m BETWEEN NRC-LICENSED FACILITIES

This is in response to your memorandum to Jim Lieberman dated April 18, 1980. You requested our opinion on whether a hospital, licensed under 10 CFR 35.14 as a group medical licensee, is authorized to routinely transfer Tc-99m to other hospitals also licensed under 10 CFR 35.14.

Your memo raises two issues:

1. Is it an item of noncompliance when a group medical licensee transfers by-product material to another licensee?
2. Is it an item of noncompliance when a group medical licensee receives the material from another group medical licensee?

For item 1, 10 CFR 30.41 is controlling. This section permits "any licensee" to transfer by-product material to authorized recipient. The transferor is obligated only to verify the recipient is authorized to possess the type, form and quantity of the particular material. As long as the receiving hospital's license contains this authorization, the transferring hospital is in compliance.

For item 2, 10 CFR 35.14 restricts the medical group licensee to suppliers licensed under section 32.72 or the Agreement State equivalent. Although the regulations do not specifically state, an exception may be inserted in the license permitting receipt of material from a section 35.14 licensee. Absent such an exception, the recipient will be in noncompliance with NRC regulations requiring a supplier to be licensed under section 32.72.

Should you have any further question on this matter, please call me.

A handwritten signature in black ink, appearing to read "R. G. Bachmann".

Richard G. Bachmann  
Attorney  
Rulemaking and Enforcement Division

cc:  
Guy Cunningham, ELD

Dupe of 8008220037