

July 31, 1996

Docket Nos.: 030-20043  
030-21228  
030-32518  
License Nos.: 37-21226-01  
37-21226-02G  
37-28697-01

Mr. G. M. (Bud) Smith, President  
Apgee Corporation and Berthold Systems, Inc.  
Hopewell Business and Industrial Park  
101 Corporation Drive  
Aliquippa, Pennsylvania 15001

SUBJECT: RESPONSE TO LETTERS DATED JULY 19 AND 25, 1996 CONCERNING  
CONFIRMATORY ACTION LETTER (No. 1-96-007)

Dear Mr. Smith:

This refers to your letters dated July 19 and 25, 1996, and to the July 24, 1996, telephone conversation between you and: Douglas Broadus and Steven Baggett of the Office of Nuclear Material Safety and Safeguards, members of my staff, and me. It is our understanding that:

1. In accordance with the request in your letter dated July 19, 1996, we grant Apgee Corporation and Berthold Systems, Inc. an extension of time to complete and submit the audit of metal shields (i.e., devices). Therefore, by October 15, 1996, provide a written report to the Regional Administrator, NRC Region I, that contains the information identified in Item 1 of the Confirmatory Action Letter dated June 19, 1996, including drawings sufficient to describe distributed (past and present) devices and their safety features.
2. Your letter dated July 25, 1996, states that you will ship no devices outside of your registrations. We understand this statement to mean that Apgee Corporation and Berthold Systems, Inc. shall only transfer devices that meet the requirements of the sealed source and device registrations and the conditions of each license.

If your intent differs from our understanding, please notify this office immediately. If you require assistance regarding this matter, please contact Francis M. Costello at (610) 337-5275.

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G. M. Smith  
Apgee Corp. & Berthold Systems, Inc.

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Your cooperation in this matter is appreciated.

Sincerely,

Original signed by:

Charles W. Hehl, Director  
Division of Nuclear Materials Safety

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cc w/ enclosures:

Charles Ferrin, Radiation Safety Officer for Apgee Corporation  
Mary Dedola, Radiation Safety Officer for Berthold Systems, Inc.  
Commonwealth of Pennsylvania

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G. M. Smith  
Apgee Corp. & Berthold Systems, Inc.

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