

**From:** [david\\_bennett@agilent.com](mailto:david_bennett@agilent.com)  
**To:** [Herrera\\_Tomas](mailto:Herrera_Tomas)  
**Subject:** [External\_Sender] RE: FW: your request for an exemption  
**Date:** Wednesday, May 06, 2020 2:54:17 PM  
**Attachments:** [image001.png](#)

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Mr. Herrera,

It was due in April so we are trying to catch up.

Dave

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**From:** Herrera, Tomas <Tomas.Herrera@nrc.gov>  
**Sent:** Wednesday, May 06, 2020 2:47 PM  
**To:** BENNETT,DAVID S (Agilent USA) <david\_bennett@agilent.com>  
**Subject:** RE: FW: your request for an exemption

Good afternoon Mr. Bennett,

So that I have all of the information, when is your two year audit of Eckert & Ziegler due?

Thank you,  
Tomas

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**From:** [david\\_bennett@agilent.com](mailto:david_bennett@agilent.com) <[david\\_bennett@agilent.com](mailto:david_bennett@agilent.com)>  
**Sent:** Wednesday, May 06, 2020 12:56 PM  
**To:** Herrera, Tomas <[Tomas.Herrera@nrc.gov](mailto:Tomas.Herrera@nrc.gov)>  
**Subject:** [External\_Sender] FW: your request for an exemption

Dear Mr. Herrera,

As part of our QA program, Agilent Technologies performs biennial audits of our source supplier, Eckert & Ziegler Isotope Products (EZIP) in California. This always entails a member of our procurement team in Delaware to visit the manufacturing facility in Valencia CA. It's time for our biennial audit but, due to COVID-19 restrictions and limitations, we are seeking permission to postpone the audit until restrictions have been lifted.

Regards,  
Dave  
304-753-3432

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**From:** BENNETT,DAVID S (Agilent USA)  
**Sent:** Monday, May 04, 2020 4:05 PM  
**To:** Ullrich, Elizabeth <[Elizabeth.Ullrich@nrc.gov](mailto:Elizabeth.Ullrich@nrc.gov)>  
**Cc:** ANAYA,ESMERALDA (Agilent USA) <[esmeralda\\_anaya@agilent.com](mailto:esmeralda_anaya@agilent.com)>; BENNETT,DAVID S (Agilent USA) <[david\\_bennett@agilent.com](mailto:david_bennett@agilent.com)>  
**Subject:** FW: your request for an exemption

Hi Betsy,

I hope I have answered your questions below correctly as I wasn't quite sure about the last one. Please let me know if you have any questions. I've also attached a copy of the current license and an exemption request letter in case you wish to have one.

I'm also going to send a separate request for temporary exemption for a biennial audit of our radioactive source supplier which is part of our QA program due to current travel restrictions.

Thanks,  
Dave

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**From:** Ullrich, Elizabeth <[Elizabeth.Ullrich@nrc.gov](mailto:Elizabeth.Ullrich@nrc.gov)>  
**Sent:** Friday, May 01, 2020 2:00 PM  
**To:** BENNETT,DAVID S (Agilent USA) <[david\\_bennett@agilent.com](mailto:david_bennett@agilent.com)>  
**Subject:** your request for an exemption

David,

Your email was forwarded to Region I as a request for an exemption. At the time we discussed your issue (March 19), the NRC was not considering exemption requests. The attached letter dated April 7 is the first official document on the issue.

In order to complete your exemption request, I need you to:

- List the license condition that you are requesting an exemption from. List the condition number, and subpart if applicable. (As we discussed, if your sources are considered to be in storage, then you may not need an exemption from the leak test requirement, but you would have to leak test them prior to the next use if they are outside of the usual leak test period.) **Conditions 14.A. and Condition 15. As the chemists using the devices that require wipe and inventory are required to work from home, I would request that the ECDs under their control be considered**

as being in storage. No one can use their ECDs in their absence.

- If you require an exemption from commitments made in a letter listed on your license, provide the commitment and the date of the letter. N/A
  - If you require an exemption from a regulation, cite the specific regulation 10 CFR 30.34, section copied below from Part 30 Material Licensee Generic Exemptions (attached). Additionally, our SS&D (NR-0348-D-111-B), under LIMITATIONS AND/OR OTHER CONSIDERATIONS OF USE REQUIRES, requires 6 month wipe tests.
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- Describe the actions you have taken to ensure that licensed materials are secured while you are restricted from access. Licensed materials are maintained in electronic, access controlled labs in a building requiring electronic, access controlled badges.

You may respond with this information directly to me by email. If you need to call me, best to send an email with a number where you can be reached. I am working from home.

Thanks,  
Betsy

Betsy Ullrich, Senior Health Physicist  
USNRC Region I  
2100 Renaissance Boulevard, Suite 100  
King of Prussia, PA 19406  
610-337-5040 (office)  
240-704-4575 (cell)  
[Elizabeth.ullrich@nrc.gov](mailto:Elizabeth.ullrich@nrc.gov)