

## Apgee Corporation

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November 21, 1998

Mr. A. Randolph Blough, Director  
Division of Nuclear Materials Safety  
Nuclear Regulatory Commission  
Region I  
475 Allendale Road  
King of Prussia, PA 19406

Subject: RELAXATION OF CONFIRMATORY ORDER AND CLOSURE OF  
CONFIRMATORY ACTION LETTER 1-97-023 dated February 27, 1998 and letter dated  
May 18, 1998

Dear Mr. Blough:

As per the above referenced order, we submit the following final status report, using the order's format, for the month of November 1998:

- A. With respect to the LB 7400 devices with alternative sources, within seven months of the date of this Order (Relaxation order extended the date until June 20, 1998) Apgee shall:
1. If an amended SSD Registry Certificate is issued to allow for the longer source capsules, complete the replacement of the source holders in the devices to confirm to the amended Registry Certificate;
  2. Recall the devices; or
  3. Bring the devices into compliance with the current SSD Registry Certificate

### STATUS:

An amendment to the registry sheet was received on February 20, 1998 from Mr. Steve Baggett of the NRC. Your follow-up letter of February 27th set a June 20 deadline for completion of this work.

The following lists the status of source holder change outs as of June 19, 1998:

	<u>Involved</u>	<u>Completed</u>
1. Total number of customers	80	80
2. Total number of devices involved	172	172

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PDR ADCK 03020043  
C PDR

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On November 5, 1998, EG& G Berthold has completed the source holder change-out for the last customer, Los Gatos Tomatoes in Huron, CA. Both shields and sources were replaced and the old equipment was sent to Germany for disposal.

This final action has completed all requirements of the RELAXATION OF CONFIRMATORY ORDER AND CLOSURE OF COMFIRMATORY ACTION LETTER 1-97-023 dated February 27, 1998 and letter dated May 18, 1998. Due to the closure of the above orders and letters, APGEE will have no further information to report to the NRC on a monthly basis. Therefore, APGEE will await direction from the NRC before proceeding further.

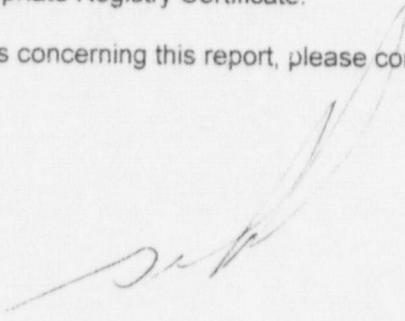
The Confirmatory Action letter dated September 19, 1998 (CAL No. 1-97-023) is considered closed as per the Relaxation of the Confirmatory Order dated February.

The Confirmatory Action letter dated October 3, 1998 (CAL No. 1-97-023A) is still open pending the amendment of the appropriate Registry Certificate.

If there are any questions concerning this report, please contact Mary Keller at the above number.

Sincerely,

G.M. (Bud) Smith, Jr.  
President



cc: Jeff Dinkel  
Mike Fox  
Jami Holbert