

**From:** [Dan Fonseca](#)  
**To:** [Torres, Roberto](#)  
**Subject:** [External\_Sender] Fwd: info  
**Date:** Thursday, June 17, 2021 3:24:57 PM

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Roberto,

You will see below the response I just received from Ludlum. I saw the list of alternate pathways this could go this morning but to be honest I tucked it away hoping I would get exactly what we needed from Ludlum. Anyway, I know you are out of the office and I am leaving tonight to head back to Phoenix for Father's Day weekend. I will reach back out to you first thing Monday morning so we can begin plowing one of the alternate paths. On a sidenote, I sent the request to J.L. Shepherd to get the model name and certificate information for our 400 millicurie cs137 source. Have a great weekend. I will be ready to take the necessary steps for our license come Monday!!!

Regards,  
Dan Fonseca  
Radiation Program Manager  
Wyoming Office of Homeland Security  
5500 Bishop Blvd.  
Cheyenne, Wy. 82002  
[dan.fonseca@wyo.gov](mailto:dan.fonseca@wyo.gov)  
(307) 777-7197 (office)  
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***"Leaders do not come pre-assembled.....They are forged by experience!"***

----- Forwarded message -----

**From:** **Elias Chavez** <[echavez@ludlums.com](mailto:echavez@ludlums.com)>  
**Date:** Thu, Jun 17, 2021 at 2:16 PM  
**Subject:** info  
**To:** Dan Fonseca <[dan.fonseca@wyo.gov](mailto:dan.fonseca@wyo.gov)>

Per Richard , our senior engineer & in a discussion with our RSO , we simply sell these lead pigs as lead shields. We do not have any certificate with the NRC as your NRC contact is instructing you to acquire. According to him NRC is not requiring us to comply with a any registration.

--  
Elias (Eli) Chavez, Jr.  
Inside Sales Specialist

Address:

Reviewer's notes:  
Lead shields, not a calibrator requiring a SSD. Hold another telephone call with the licensee's RSO.

RJT 6-17-2021

PO Box 810 / 501 Oak Street

Sweetwater, TX 79556

Web: [www.ludlums.com](http://www.ludlums.com)

Phone (Toll-free): 800.622.0828

Phone (Direct): 325.235.5494 ext. 3350

E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.

**From:** [Torres, Roberto](#)  
**To:** ["Dan Fonseca"](#)  
**Subject:** Information for license amendment request  
**Date:** Thursday, June 17, 2021 7:54:00 AM  
**Attachments:** [NRC Form 313 and Appendix B Volume 7.pdf](#)

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Reference: 49-08631-01, 030-07474, 625577

Mr. Fonseca:

If there is no sealed source and device registration certificate for the calibrator then the calibrator can be licensed in a two-step approach.

1. Step 1 – Send a signed and dated letter requesting that language item 9.B. of license 49-08631-01 be changed to read “For receipt, temporary storage prior to installation, and incidental use of calibrator [State manufacturer’s name and model number of calibrator] for quality control purposes during installation of the calibrator. This license needs to be amended prior to authorizing any use of the calibrator.”

Provide technical data of the calibrator. This information can be provided by the manufacturer or distributor of the calibrator. I will be able to amend the license quickly to allow you to receive the new source and for the vendor to install the source into the calibrator and use the calibrator for quality control purposes during commissioning of the calibrator. To allow further use of the calibrator after the installation is complete you will need to submit a second license amendment request and have the NRC approve the second request by amending the NRC license (see Step 2).

2. Step 2 – The NRC license will need to authorize “Research and Development” to allow the use of a calibrator with no sealed source and device registration certificate. Research and development means: (1) Theoretical analysis, exploration, or experimentation; or (2) the extension of investigative findings and theories of a scientific or technical nature into practical application for experimental and demonstration purposes, including the experimental production and testing of models, devices, equipment, materials and processes. In your case you will be testing a registered sealed source in an unregistered device (i.e., calibrator).

- A. Send a signed and dated letter requesting that language item 9.B. of license 49-08631-01 be changed to read “For research and development in accordance with 10 CFR 30.4. For receipt, storage, and use of calibrator [State manufacturer’s name and model number of calibrator] for [state the proposed use of the calibrator, modify this language as needed: calibration of radiation detection instrumentation, daily operational checks of instrumentation in support of response exercises, and for storage in a storage shield when not in use.”

- B. Indicate if the calibrator is going to be used in the field or not.

- C. Complete the attached NRC Form 313 and Appendix B of NUREG-1556, Volume

7, revision 1.

- D. For the calibrator, provide the information requested in 10 CFR 30.32(g) and 10 CFR 32.210(c). Specifically:
- i) Identify the radioactive source by manufacturer and model number
  - ii) Identify the device (i.e., calibrator) by manufacturer and model number
  - iii) Provide sufficient additional information to demonstrate that there is reasonable assurance that the radiation safety properties of the source or device (i.e.: calibrator) are adequate to protect health and minimize danger to life and property. Such information must include a description of the source or device, a description of radiation safety features, the intended use and associated operating experience, and the results of a recent leak test.
  - iv) The request for review of a sealed source or a device must include sufficient information about the design, manufacture, prototype testing, quality control program, labeling, proposed uses and leak testing and, for a device, the request must also include sufficient information about installation, service and maintenance, operating and safety instructions, and its potential hazards, to provide reasonable assurance that the radiation safety properties of the source or device are adequate to protect health and minimize danger to life and property.
  - v) For registered sealed sources contained in unregistered devices, the authorized users are qualified by training and experience and have sufficient facilities and equipment to safely use and handle the requested quantity of radioactive material in unshielded form.

Thank you for your cooperation.

Roberto J. Torres, M.S.  
Senior Health Physicist  
U.S. Nuclear Regulatory Commission, Region IV  
1600 East Lamar Boulevard  
Arlington, TX 76011-4511  
817-200-1189

**Reviewer's notes:**

This proposed two-step approach is no longer valid since it appears that there is no calibrator requiring an SSD but just lead shields. Therefore, meeting 10 CFR 30.32(g) and 10 CFR 32.210 for the device is no longer needed since there is no device (just lead shields). Request licensee to provide design.

RJT 6-17-2021