



RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) REQUEST

2022-000219

1

RESPONSE TYPE

INTERIM

FINAL

REQUESTER:

Sean Chapel, Boston Scientific

DATE:

08/15/2022

DESCRIPTION OF REQUESTED RECORDS:

A copy of the current Sealed Source and Device Registration for Sirtex Medical, Inc., registration number MA-1229-D-101-S.

PART I. -- INFORMATION RELEASED

- The NRC has made some, or all, of the requested records publicly available through one or more of the following means: (1) <https://www.nrc.gov> ; (2) public ADAMS, <https://www.nrc.gov/reading-rm/adams.html>; (3) microfiche available in the NRC Public Document Room; or FOIA Online, <https://foiaonline.gov/foiaonline/action/public/home>.
- Agency records subject to the request are enclosed.
- Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (See Part I.D -- Comments) for a disclosure determination and direct response to you.
- We are continuing to process your request.
- See Part I.D -- Comments.

PART I.A -- FEES

- | | | |
|--------|--|--|
| AMOUNT | <input type="checkbox"/> You will be billed by NRC for the amount indicated. | <input checked="" type="checkbox"/> Since the minimum fee threshold was not met, you will not be charged fees. |
| | <input type="checkbox"/> You will receive a refund for the amount indicated. | <input type="checkbox"/> Due to our delayed response, you will not be charged search and/or duplication fees that would otherwise be applicable to your request. |
| | <input type="checkbox"/> Fees waived. | |

PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- We did not locate any agency records responsive to your request. *Note:* Agencies may treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). See 5 U.S.C. 552(c). This is a standard notification given to all requesters; it should not be taken to mean that any excluded records do, or do not, exist.
- We have withheld certain information pursuant to the FOIA exemptions described, and for the reasons stated, in Part II.
- Because this is an interim response to your request, you may not appeal at this time. We will notify you of your right to appeal any of the responses we have issued in response to your request when we issue our final determination.
- You may appeal this final determination within 90 calendar days of the date of this response. If you submit an appeal by mail, address it to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Mail Stop T-6 A60M, Washington, D.C. 20555-0001. You may submit an appeal by e-mail to FOIA.resource@nrc.gov. You may fax an appeal to (301) 415-5130. Please be sure to include on your submission that it is a "FOIA Appeal." Only a pre-registered user may file an appeal through FOIA Online, <https://foiaonline.gov/foiaonline/action/public/home>. A user who has not registered an account prior to filing the initial FOIA request may still submit an appeal by one of the above mentioned options.

PART I.C -- REFERENCES AND POINTS OF CONTACT

You have the right to seek assistance from the NRC's FOIA Public Liaison by submitting your inquiry at <https://www.nrc.gov/reading-rm/foia/contact-foia.html>, or by calling the FOIA Public Liaison at (301) 415-1276.

If we have denied your request, you have the right to seek dispute resolution services from the NRC's Public Liaison or the Office of Government Information Services (OGIS). To seek dispute resolution services from OGIS, you may e-mail OGIS at ogis@nara.gov, send a fax to (202) 741-5789, or send a letter to: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. For additional information about OGIS, please visit the OGIS website at <https://www.archives.gov/ogis>.



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PART I.D -- COMMENTS

This response also serves to acknowledge receipt of your request.

Section 274 of the Atomic Energy Act of 1954, as amended, provides a statutory basis under which the U.S. Nuclear Regulatory Commission [NRC] relinquishes to the States portions of its regulatory authority to license and regular byproduct materials (radioisotopes), source materials (uranium and thorium); and certain quantities of special nuclear materials. The mechanism for the transfer of NRC's authority to a State is an agreement signed by the Governor of the State and the Chairman of the Commission, in accordance with section 274b of the Act.

As you can see from the NRC's webpage on the Agreement State Program, <https://www.nrc.gov/agreement-states.html>, the Commonwealth of Massachusetts is an Agreement State. Our subject matter experts in the Office of Nuclear Material Safety and Safeguards [NMSS] have informed us that you may request a copy of the registration certificate by sending your request to Massachusetts. According to the Agreement State webpage, you may submit your request to either of the following individuals:

Jack Priest, Director
Department of Public Health
Radiation Control Program
Bureau of Environmental Health
Schrafft Center, Suite 1M2A
52 Main Street
Charlestown, MA 02129
jack.priest@state.ma.us
PH: (617) 242-3035 ext 2001
FAX: (617) 242-3457

Dawn Brantley, Director
Massachusetts Emergency Management Agency
400 Worcester Road
Framingham, MA 01702
dawn.brantley@mass.gov
PH: (508) 820-2000
FAX: (508) 820-2030

This completes our action on your request.

Signature - Freedom of Information Act Officer or Designee

Stephanie A. Blaney

Digitally signed by Stephanie A. Blaney
Date: 2022.08.15 12:08:58 -04'00'