



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

December 16, 1999

Mr. John Gainor
Telum Corporation
P.O. Box 614
Adelaide Street, Toronto
Ontario, Canada M5C 2J8

Dear Mr. Gainor:

This refers to your recent request for information concerning the application process for obtaining a sealed source device registration, pursuant to Section 32.22, 10 CFR Part 32, for products containing tritium vials, such as gunsights.

In order to register your gunsights, it will be necessary for a device review to be performed pursuant to the issuance of a device registration certificate. The product information to be submitted for your device registration is outlined in 10 CFR Part 32, specifically in Sections 32.22, 32.23, and 32.25, and in Regulatory Guides 6.9 and NUREG 1556, Vol. 3, "Applications for Sealed Source and Device Evaluation and Registration" (NUREG 1556, Vol. 3). While it is not necessary that you provide a sample of the gunsights, you should submit detailed drawings of the device indicating the location and content of the required labeling.

It is my understanding that you wish to register your product and then have it distributed by other company(s) that are already located in the US and are licensed for distribution to persons exempt from licensing. Therefore, as we discussed, after you have obtained a device registration certificate, these distributor(s) will need to amend their exempt distribution licenses to add your product.

For information regarding the fees required, you should contact Ms. Sandra Kimberley of the License Fee and Accounts Receivable Branch, at (301) 415-6096. Payment of the fee should be mailed with the appropriate application package.

For your use in applying for a device registration, I have enclosed reference copies of Regulatory Guide 6.9, NUREG's 1556, Vol. 3, and 10 CFR Parts 30, 32, 170, and 171. For your information, I have also enclosed a copy of NUREG 1556, Vol. 8, "Program-Specific Guidance About Exempt Distribution Licenses" concerning exempt distribution licenses.

As to your question concerning bringing gunsights, containing tritium, into the US for gun shows. I spoke with Ms. Suzanne Schuyler-Hayes in the Office of International Programs and she confirmed that you would come under the 10 CFR 110.27 general license for imports provision.

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This means that this activity, bringing gunsights into the US for gun shows, is covered under a type of import license that does not require the filing of an application with the Commission or the issuance of a licensing document in order to be effective. Also, 10 CFR 110.20(e), states that, as a person using an NRC general license as the authority for import, you may cite, on the shipping documents, the section that authorizes the described import under general license as a way of expediting the U.S. Customs Services's the processing of the shipment. Included is a copy of 10 CFR 110 for your use.

If I can be of further assistance, please contact me at (301) 415-6140.

Sincerely,

Susan L. Greene
Materials Safety and
Inspection Branch
Division of Industrial and
Medical Nuclear Safety
Office of Nuclear Material Safety
and Safeguards

Enclosures:

1. Reg Guide 6.9
2. 10 CFR Parts 30, 32, 170, and 171
3. NUREG's 1556, Vol. 3 and 1556, Vol. 8

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