



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

February 10, 2005

Docket No. 03036786
Control No. 136235

License No. 29-23921-01

Richard J. Timbo
Principal/Radiation Safety Officer
Richard Barry Marketing Group
81 Ruckman Road
Closter, NJ 07624-2102

SUBJECT: RICHARD BARRY MARKETING GROUP, REQUEST FOR ADDITIONAL
INFORMATION CONCERNING APPLICATION FOR NEW LICENSE,
CONTROL NO. 136235

Dear Mr. Timbo:

This is in reference to your application dated December 2, 2004 applying for a Nuclear Regulatory Commission license. In order to continue our review, we need the following additional information:

1. Please confirm that your proposed location of use, listed in item 3 of your application, is not a location of use for any other active NRC license.
2. Confirm whether you have completed the examination referenced in your application successfully and your skills and abilities were observed to be satisfactory. If not, then confirm that the above will occur before the initiation of licensed activities.
3. Since you will be receiving or have received the training referenced in your application, confirm that Mr. Brightwell is/was the instructor. Alternatively, indicate how the training will be/was provided (i.e., self-study, teleconference, videotape, etc.).
4. Confirm that there will be training prior to first performance of licensed activities, refresher training on an annual basis, and retraining whenever there is a change in relevant regulations and/or a change in duties of the individual performing licensed activities.
5. Your application in item 10 indicates that you will be performing "quality control checks of a fraction on individual SSD packages." If the time pieces are to be disassembled, then please commit to the performance of area surveys for contamination after the quality control checks and bioassays of the workers involved. Otherwise state that the timepieces will not be disassembled.

6. Your application states under item 11, "Waste Management" that the licensee will follow the protocol of collecting and returning all damaged Sealed Source Devices (SSDs [i.e., timepieces]) and SSDs with failed Gaseous Light Tritium Sources to the overseas manufacturing facility. Confirm that you will perform surveys of the shipment in which you find such damaged devices to determine if your facility or other packages in the shipment become contaminated from the damaged devices.

Please note that on October 25, 2004, the NRC suspended public access to ADAMS, and initiated an additional security review of publicly available documents to ensure that potentially sensitive information is removed from the ADAMS database accessible through the NRC's web site. Interested members of the public may obtain copies of the referenced documents for review and/or copying by contacting the NRC Public Document Room pending resumption of public access to ADAMS. The NRC Public Document Room is located at NRC Headquarters in Rockville, MD, and can be contacted at 800-397-4209 or 301-415-4737 or pdr@nrc.gov.

We will continue our review upon receipt of this information. Please reply to my attention at the Region I Office and refer to Mail Control No. 136235. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5075.

If we do not receive a reply from you within 30 calendar days from the date of this letter, we shall assume that you do not wish to pursue your application.

Sincerely,

Original signed by Steven Courtemanche

Steven Courtemanche
Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety

Enclosure:
10 CFR Parts 19, 20, and 30

R. Timbo
Richard Barry Marketing Group

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