



UNITED STATES
NUCLEAR REGULATORY COMMISSION

Office of Federal and State Materials and
Environmental Management Programs
WASHINGTON, DC 20555 - 0001

April 16, 2009

Docket No. 030-37966
Mail Control: 022748

License No. 04-23968-01E

Martin Brown
Radiation Safety Officer
Ushio America, Inc.
5440 Cerritos Avenue
Cypress, California 90630

SUBJECT: USHIO AMERICA, INC. LICENSE AMENDMENT, MAIL CONTROL NO. 022748

Dear Mr. Brown:

Enclosed is your amended NRC License No. 04-23968-01E in its entirety.

Please review the enclosed document carefully and be sure that you understand all the conditions. If there are any errors or questions, please contact me so that appropriate corrections and answers can be provided.

Please be advised that you must conduct your program involving radioactive materials in accordance with the conditions specified in your NRC license, representations made in your license application, and other rules, regulations, and orders of the U.S. Nuclear Regulatory Commission, now or hereafter in effect, to include the following:

1. Comply with applicable NRC regulations in 10 CFR Part 30, "Rules of General Applicability to domestic Licensing of Byproduct Material"; 10 CFR Part 32, "Specific Domestic Licenses to Manufacture or Transfer Certain Items Containing Byproduct Material"; and other applicable regulations.

NOTE: Licensees authorized to distribute or initially transfer products containing byproduct material must also possess a valid possession license issued either by NRC or an Agreement State(s) which authorizes possession and use of byproduct material.

2. Distribute only those products containing radioactive material which are specifically authorized in your license.
3. Notify NRC in writing within 30 days of any change in mailing address.
4. Request and obtain appropriate amendments if you plan to change control or ownership of your organization, change locations of distribution of products containing radioactive material, or make any other changes in your program which are contrary to the license

conditions or representations made in your license application and any supplemental correspondence with NRC.

5. Submit a complete renewal application or termination request at least 30 days before the expiration date on your license. You should receive a reminder notice approximately 90 days before the expiration date. Continued distribution of products containing radioactive material after your license expires is a violation of NRC regulations.
6. In accordance with 10 CFR 30.36, request termination of your license if you plan to permanently discontinue activities involving distribution of products containing radioactive material.

You will be periodically inspected by NRC. Failure to conduct your program in compliance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC may result in enforcement action(s) against you. This could include issuance of a notice of violation; proposed imposition of a civil penalty; or an order suspending, modifying, or revoking your license as specified in the "General Statement of Policy and Procedures for NRC Enforcement Actions," (NUREG-1600).

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, Academic, and Industrial Uses of Nuclear Material**; then **Regulations, Guidance, and Communications**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 8:00 p.m. EST, Monday through Friday (except Federal holidays).

Thank you for your cooperation.

If you have any questions, you may contact me at (301) 415-7640, or electronic mail: Shirley.Xu@nrc.gov.

Sincerely,

/RA/

Shirley Xu, Health Physicist
Agreement State Programs Branch
Division of Materials Safety and
State Agreements
Office of Federal and State Materials and
Environmental Management Programs

Enclosure: License Number 04-23968-01E

cc: State of California
Gary W. Butner
Radiologic Health Branch

M. Brown

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P.O. Box 997414, MS-7610
Sacramento, CA 95899-7414

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