

October 22, 2010

VIA FEDEX

U. S. Nuclear Regulatory Commission
Attn: Dr. Shirley Xu
Division of Materials Safety and
State Agreements
Office of Federal and State Materials and
Environmental Management Programs
Washington DC 20555

Re: Proposed Amendment #2 to NRC License No. 04-23968-01E

Dr. Xu:

The Nuclear Regulatory Commission issued to Ushio America, Inc. (“Licensee”) NRC License No. 04-23968-01E (the “License”), which is an exempt distribution license pertaining to certain lamps containing very small quantities of Kr-85 (the “Covered Products”). The License currently permits the distribution of Covered Products from Licensee’s warehouse in California.

Licensee is interested in selling Covered Products from an additional warehouse in South Carolina. The State of South Carolina has granted Licensee a possession license (the “South Carolina License”) for Covered Products. A copy of the South Carolina License is attached to this letter. Licensee respectfully requests that the License be amended to permit the distribution of Covered Products from the South Carolina warehouse location for which Licensee has obtained the South Carolina License.

If you have any questions or require anything further in this regard, please do not hesitate to contact the undersigned.

Sincerely yours,



Martin Brown
Radiation Safety Officer
Ushio America, Inc.

**SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
RADIOACTIVE MATERIAL LICENSE**

Pursuant to the Atomic Energy and Radiation Control Act, Section 13-7-40 et.seq. of S.C. Code of Laws of 1976, as amended, and Supplements thereto, and the South Carolina Department of Health and Environmental Control Regulation 61-63, Radioactive Material (Title A), and in reliance on statements and representations heretofore made by the applicant, a license is hereby issued authorizing the licensee to receive, acquire, possess and transfer radioactive material listed below; and to use such radioactive material for the purpose(s) and at the place(s) designated below. This license is subject to all applicable rules and regulations of the South Carolina Department of Health and Environmental Control now or hereafter in effect and to any conditions specified below.

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|--|-------------------------------------|--|
| LICENSEE | | 3. License Number: |
| 1. Name: Ushio America, Inc. | | 901 |
| 2. Address: 5440 Cerritos Avenue Cypress, CA 90630 | | 4. Expiration Date: October 31, 2018 |
| 5. Radioactive Material (Element & Mass No.) | 6. Chemical and/or Physical Form | 7. Maximum Radioactivity and/or quantity of material which licensee may possess at any one time. |
| A. Krypton-85 | A. Gas | A. 1 Curie total. No single source to exceed 0.59 microcuries/tube. |
| 8. Authorized Use: | | |
| A. The licensee is authorized to possess store devices (lamps) containing sealed sources of Kr-85 gas and for exempt quantity distribution. The Kr-85 is used as a pre-ionizer to enable certain types of lamps to light (strike). | | |

Conditions

9. The authorized place of use is the licensee's facility located at 1 Sunbelt Court, Columbia, SC 29203.
10. The licensee shall comply with the provisions of Title A, State of South Carolina Rules and Regulations for Radiation Control; Part I - General Provisions; Part II - Licensing of Radioactive Materials; Part III - Standards for Protection Against Radiation; and Part VI - Notices, Instructions, and Reports to Workers; Inspections.
11. Radiation Safety Officer: Stephon Jackson, RSO.
12. Sealed sources containing radioactive material shall not be opened or removed from their respective source holders by the licensee.

SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Radioactive Material License
Supplementary Sheet

License No. 901

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13. Radioactive material described in Subitem A of this license may be used by individuals as follows:
- a) Maintenance of the records of all packages received, containing Kr-85 glass tubes, inspection for appropriate markings, and labels, and repair of tubes shall be performed by individuals specifically authorized to perform such services.
 - b) Maintenance and storage of lamps containing Kr-85 shall be performed only by, or under the supervision of individuals who have been designated in writing by the Radiation Safety Officer as qualified to use Kr-85 in these manners.
14. The licensee shall conduct a physical inventory every six months to account for all radioactive material possessed pursuant to this license. Records of inventories shall be maintained for inspection by the Department.
15. A copy of this license and a copy of all records and documents pertaining to this license shall be maintained available for inspection at 1 Sunbelt Drive, Columbia, SC 29203.
16. Except as specifically provided otherwise, the licensee shall possess and use radioactive material described in Items 5, 6, and 7 of this license in accordance with statements, representations, and procedures contained in the following documents.
- A. License application dated September 2, 2010, signed by Martin Brown.

Date of Issuance: October 6, 2010

For the South Carolina Department
of Health and Environmental Control

By: 

Aaron A. Gantt, Chief
Bureau of Radiological Health

From: Origin ID: LGBA (714) 229-3166
Yuki Graham
USHIO AMERICA, INC
5440 CERRITOS AVENUE

CYPRESS, CA 90630



J10301010040225

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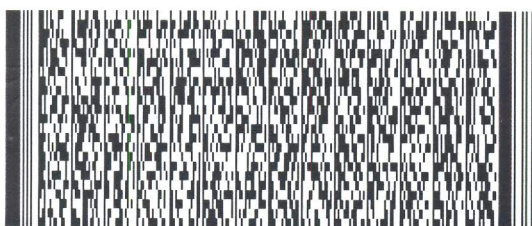
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SHIP TO: (301) 415-7000 BILL SENDER
Attn: Dr. Shirley Xu
U.S. Nuclear Regulatory Commission
Div of Materials Safety/State Agmt

Washington, DC 20555

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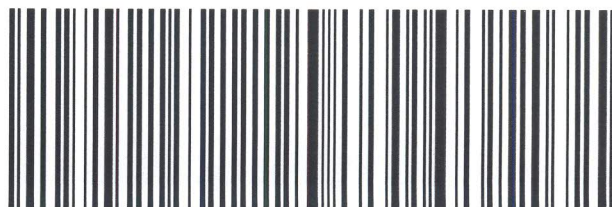


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