



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, DC 20555 - 0001

August 21, 2013

VEGA Americas, Inc.  
ATTN: Mr. John F. Birch  
4241 Allendorf Drive  
Cincinnati, OH 45209

Mail Control No. 581320

SUBJECT: REQUEST FOR ADDITIONAL INFORMATION - APPLICATION FOR EXEMPT  
DISTRIBUTION LICENSE

Dear Mr. Birch:

This refers to your Application for Material License, NRC Form 313, and letter dated June 24, 2013. We do not have sufficient information to complete the review of your application.

Title 10, Code of Federal Regulations, Section 32.14(b)(2) requires the applicant to submit sufficient information regarding the product pertinent to evaluation of the potential radiation exposure, including details of construction and design of each product.

Title 10, Code of Federal Regulations, Section 32.14(b)(8) states that the applicant must provide any additional information, including experimental studies and tests, required by the Commission to facilitate a determination of the safety of the product.

Title 10, Code of Federal Regulations, Section 32.30(b)(1) requires, in part, the applicant to submit sufficient information relating to the design and manufacture of the industrial device, including a description of the device and its intended use or uses.

Title 10, Code of Federal Regulations, Section 32.30(b)(16) states that the applicant must provide any additional information, including experimental studies and tests, required by the Commission.

In order to determine which section of 10 CFR 32 is applicable to your product, please provide the following information:

1. Specify whether you will distribute the Fibertrac 31 to any person (as defined in 10 CFR 30.4, "Definitions") other than specific licensees or general licensees. (The enclosure to this letter provides the definition of "person.")
2. Specify how the Fibertrac 31 is used, both with and without the inclusion of a Eu-152 calibration source.
  - a) Describe the types of material that are measured and the type of measurement that is made, i.e., the measurand and its units.
  - b) Describe the physical arrangement of the Fibertrac 31, the external source, and the material being measured.

- c) Indicate whether there is any mode of operation of the Fibertrac 31 that does not require the use of an external source.
  - d) Describe how the inclusion of a Eu-152 calibration source affects the ability of the Fibertrac 31 in accomplishing its purpose, or improving its performance.
3. Specify the external radioactive sources with which the Fibertrac 31 has been, is being, and will be used. Your response should include the radionuclide and the original activity (source strength) of each such source supplied by VEGA Americas, and any other suppliers.

If we do not receive your reply within 30 calendar days from the date of this letter, we will consider your application as having been abandoned by you. This action would be without prejudice to the resubmission of another application with the required information.

In accordance with 10 CFR 2.390 of NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in NRC's Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC web site at <http://www.nrc.gov/NRC/ADAMS/index.html> (the Public Electronic Reading Room).

Any correspondence regarding your amendment application should reference the control number specified above.

If you have any questions, please feel free to contact me at (301) 415-5477 or electronic mail: [richard.struckmeyer@nrc.gov](mailto:richard.struckmeyer@nrc.gov).

Sincerely,

**/RA/**

Richard K. Struckmeyer, Health Physicist  
Licensing Branch  
Division of Materials Safety and  
State Agreements  
Office of Federal and State Materials and  
Environmental Management Programs

Docket No. 030-38665  
Enclosure: as stated

- c) Indicate whether there is any mode of operation of the Fibertrac 31 that does not require the use of an external source.
  - d) Describe how the inclusion of a Eu-152 calibration source affects the ability of the Fibertrac 31 in accomplishing its purpose, or improving its performance.
4. Specify the external radioactive sources with which the Fibertrac 31 has been, is being, and will be used. Your response should include the radionuclide and the original activity (source strength) of each such source supplied by VEGA Americas, and any other suppliers.

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Sincerely,

**/RA/**

Richard K. Struckmeyer, Health Physicist  
 Licensing Branch  
 Division of Materials Safety and  
 State Agreements  
 Office of Federal and State Materials and  
 Environmental Management Programs

Docket No. 030-38665  
 Enclosure: as stated

**DISTRIBUTION:** MKotzalas TKime KButler JOHara RJones,LFARB RIII/DNMS  
 MSSA r/f

**ML13191B321**

<b>OFC</b>	FSME/MSSA	FSME/MSSA	FSME/MSSA
<b>NAME</b>	RStruckmeyer	SXu	MKotzalas
<b>DATE</b>	8/21/13	8/21/13	8/21/13

OFFICIAL RECORD COPY

## Enclosure

### Excerpts from 10 CFR 30.4, "Definitions"

*Person* means: (1) Any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, Government agency other than the Commission or the Department, except that the Department shall be considered a person within the meaning of the regulations in this part to the extent that its facilities and activities are subject to the licensing and related regulatory authority of the Commission pursuant to section 202 of the Energy Reorganization Act of 1974 (88 Stat. 1244), any State or any political subdivision of or any political entity within a State, any foreign government or nation or any political subdivision of any such government or nation, or other entity; and (2) any legal successor, representative, agent, or agency of the foregoing;

*Department and Department of Energy* means the Department of Energy established by the Department of Energy Organization Act (Pub. L. 95-91, 91 Stat. 565, 42 U.S.C.7101 et seq.) to the extent that the Department, or its duly authorized representatives, exercises functions formerly vested in the U.S. Atomic Energy Commission, its Chairman, members, officers and components and transferred to the U.S. Energy Research and Development Administration and to the Administrator thereof pursuant to sections 104 (b), (c) and (d) of the Energy Reorganization Act of 1974 (Pub. L. 93-438, 88 Stat. 1233 at 1237, 42 U.S.C. 5814) and retransferred to the Secretary of Energy pursuant to section 301(a) of the Department of Energy Organization Act (Pub. L. 95-91, 91 Stat. 565 at 577-578, 42 U.S.C. 7151).