

From: Reber, Eric
Sent: Tuesday, January 26, 2016 3:08 PM
To: 'pete.mcgonde1@herley.com'
Subject: Herley Industries, Inc. d.b.a. Ultra Electronics Herley; Request for Revision of 2015 Report of Transfers to License-Exempt Persons; License No. 20-13270-02E
Attachments: RIS 2014-10 Exempt Distribution.pdf

Dear Mr. McGondel,

I've reviewed your exempt distribution report dated January 14, 2016 (ML16020A393).

Please revise and resubmit your report to indicate that the products are transferred for use under 10 CFR 30.15, giving the specific paragraph designation [i.e., 10 CFR 30.15(a)(8)].

Also, the regulations concerning annual reporting for your license state that the information in your report should reference model numbers, if applicable, and your report did not include reference to model numbers. Please revise your report according to model numbers or, as we discussed over the telephone on January 26, 2016, explain why model numbers would not be applicable.

The portion of the regulations that requires information according to model numbers, where appropriate, is in 10 CFR 32.16(b) and is provided for your reference:

The report must include the following information on products transferred to other persons for use under § 30.15 or equivalent regulations of an Agreement State:

- (1) A description or identification of the type of each product and the model number(s), if applicable;
- (2) For each radionuclide in each type of product and each model number, if applicable, the total quantity of the radionuclide; and
- (3) The number of units of each type of product transferred during the reporting period by model number, if applicable.

Further information about the requirements that apply to annual reports of exempt distribution can be found in the attached Regulatory Issue Summary.

A hard copy of your revised report should be addressed and sent to:

ATTN: Document Control Desk/Exempt Distribution
Director, Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Please be aware that upon your request, proprietary information submitted to the NRC may be withheld from public disclosure. To do this, you must follow the procedures in 10 CFR 2.390(b) including requesting withholding at the time the information is submitted and complying with the document marking and affidavit requirements set forth in 10 CFR 2.390 (b)(1).

If you have any questions, please feel free to contact me.

Regards,
Eric

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