

Cassata, James

From: Cassata, James
Sent: Thursday, February 25, 2016 3:12 PM
To: 'Jaydev Jani'; Bob Heaton
Cc: Xu, Shirley; Reichard, Michael
Subject: RE: NRC Report 2015.xlsx and Questions Regarding Termination of License
Attachments: nrc314.pdf; NRC Report 2015.xlsx

Importance: High

Mr. Jani; Mr. Heaton,

1. Thank you for sending your 2015 annual report pursuant to 32.16(a)(1) in response to my inspection request performed at your GA facility on February 10, 2016.
2. However, please also mail a paper copy of your 2015 annual report to:

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

3. If wish to terminate your NRC e-distribution license please submit an application for termination by completing the enclosed Form NRC-314, "A Certificate of Disposition of Materials" (<http://www.nrc.gov/reading-rm/doc-collections/forms/nrc314.pdf>). You can check boxes "2" and "a" and provide reasons for termination and explain why you are applying for terminating of your NRC license. Once received, your application will be assigned to a license reviewer who will contact you directly if there are any questions or issues to be resolved. Keep in mind that your license won't actually be terminated until the review process is completed and you are sent a signed NRC letter stating that your license has been terminated.

Also, pursuant to 32.16(c)(2), licensees who permanently discontinue activities authorized by the license issued under 10 CFR 32.14 shall file a report for the current calendar year within 30 days after ceasing distribution. If no transfers of byproduct material have been made during the reporting period for the current calendar year, the report must still be filed but indicate that none were transferred.

Your completed Form NRC-314, should be sent to NRC Headquarters because they process e-distribution licenses. There U.S. Mailing address is:

U.S. Nuclear Regulatory Commission
ATTENTION: Materials Safety Licensing Branch (E-Distribution Licenses)
Washington, DC 20555-0001

If you have further questions an NRC contact person for E-Distribution licensing is:

Ms. Shirley Xu
NMSS/MSTR/MSLB
Health Physicist
Materials Safety Licensing Branch
301-415-7640
Shirley.Xu@nrc.gov

Since you are terminating an NRC distribution license without possession authorization (you are authorized for possession under your GA Agreement State License) you don't need to transfer or dispose of your exempt material just to terminate your NRC exempt distribution license. However, since Havells USA is going out of business you will need to notify your Agreement State licensing authority in GA and apply for termination of your GA Agreement State license and you will be required to properly transfer or dispose of your licensed material for that termination. When you terminate your NRC exempt distribution license you are agreeing to no longer apply byproduct material to, or to incorporate byproduct material into, the products specified in your license or to initially transfer for sale or distribution such products containing byproduct material for use pursuant to 10 CFR 30.15.

In addition to the instructions provided on Form NRC-314, further guidance for license termination for an exempt distribution license can be found in NU-REG 1556 Vol 8, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Exempt Distribution Licenses (NUREG-1556, Volume 8)" (<http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/v8/>), specifically please see Section 14, copied below for your convenience.

Please contact me if you have any questions along the way. I will call you once I send this e-mail to have the inspection exit meeting on the phone and to discuss this e-mail.

Sincerely,

James R. Cassata, Ph.D., CHP
Health Physicist
Nuclear Regulatory Commission (NRC), Region I
Division of Nuclear Materials Safety,
Commercial, Industrial, R&D, and Academic Branch
2100 Renaissance Boulevard, Suite 100
King of Prussia, PA 19406-2713
Office: 610-337-5303
Fax: 610-337-5269
james.cassata@nrc.gov

<http://www.nrc.gov/>

From: Jaydev Jani [mailto:jaydev.jani@havells-usa.com]
Sent: Thursday, February 25, 2016 11:51 AM
To: Cassata, James <James.Cassata@nrc.gov>
Cc: Bob Heaton <bob.heaton@havells-usa.com>
Subject: [External_Sender] NRC Report 2015.xlsx

Dear Sir,

Thank you for your help and your call this morning to Robert Heaton. Attached herewith is 2015 report that we did not file so far. We indeed appreciate your help and guidance. The next thing we want to work upon is terminating the license with your guidance in doing so. Just called you and left a message. Look forward to hear from you. Thank you again.

Regards,

Jaydev Jani
Controller
Havells USA, Inc
125 B Villanova Drive

Atlanta, GA 30336
Phone: 678 420 3605