

From: Reber, Eric
Sent: Thursday, April 14, 2016 9:24 AM
To: Hallock, Barry -HEN (GE, Appl & Light) (barryh.hallock@ge.com)
Cc: 'Jack Buddenbaum'
Subject: Third Request for Additional Information; General Electric Renewal; License No 19-17316-01E; MC589285
Attachments: Email to GE dtd April 14, 2016 3rd Request for Additional Information.pdf; Second Request for Additional Information; General Electric Company; License No 19-17316-01E

Dear Mr. Hallock,

Please see the attachment to this email with my request for additional information concerning your letter dated March 10, 2016.

A response is requested by April 29, 2016.

Kind regards,
Eric

Eric H. Reber
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April 14, 2016

Dear Mr. Hallock,

This refers to your letter dated March 10, 2016, which responded to the NRC's second request for additional information dated February 11, 2016.

The regulations in Title 10 of the Code of Federal Regulations (10 CFR) 32.14(b) state, in part, that an application for a specific license to initially transfer for sale or distribution products containing byproduct material for use pursuant to 10 CFR 30.15 will be approved if the applicant submits sufficient information regarding the product pertinent to evaluation of the potential radiation exposure. In order to continue our review of your application, we need the following additional information.

1. The regulations in 10 CFR 32.14(b)(6) require applicants, in part, to submit information about the proposed method of labeling or marking each unit and its container with the identification of the manufacturer or initial transferor of the product and the byproduct material in the product.

You have not provided information about the proposed method of labeling or marking the containers that will hold arc tubes with Kr-85. As was clarified in my email dated March 17, 2016 to Mr. Buddenbaum, the term "container" in 10 CFR 32.14(b)(6) and 10 CFR 32.15(d)(1) refers to the outermost packaging material in which the arc tubes will be transported.

Please provide information about the proposed method of labeling or marking so that the manufacturer or initial transferor of the product and the byproduct material can be identified on the containers (i.e., outermost packaging material) of the arc tubes with Kr-85.

2. In "Item 2a. Response" of your letter, you wrote:

For all products that contain arc tubes with K-85, the label is placed on the next smallest container such as the bubble wrap or paper or cardboard sleeve wrap containing the product. This labeling approach pertains to all products that contain arc tubes with K-85 covered under this license. Attachment A contains an example of the next smallest container with the appropriate labeling.

This request for an exemption from the product labeling requirements in 32.15(d)(1) is in line with the guidance for granting such exemptions provided in Section 9.3 of [NUREG-1556, Vol. 8, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Exempt Distribution Licenses."](#)

However, in "Item 2b. Response" of your letter, you wrote:

Regarding item iii, GE requests exemption for labeling and marking for all lamp products that contain arc tubes with K-85 (sic). The next smallest containers used for products with the K-85(sic) arc tubes do not apply to the labeling and marking exemption; statement

The second sentence in "Item 2b. Response" of your letter appears to contradict your exemption request in "Item 2a. Response." Please clarify the meaning of the second sentence in "Item 2b. Response."

We will continue our review upon receipt of this information. If we do not receive a reply from you by April 29, 2016, we will assume that you do not wish to pursue your renewal application.

If you have any questions, please contact me at (301) 415-5608, or by electronic mail at Eric.Reber@nrc.gov.

Sincerely,

Eric H. Reber
Materials Safety Licensing Branch
Division of Material Safety, State, Tribal,
and Rulemaking Programs
Office of Nuclear Material Safety
and Safeguards

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