



August 22, 2016

Ms. Shirley Xu
Mail Stop T-8-E-24
Division of Material Safety, State, Tribal and Rulemaking Programs
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555
E-Mail: Shirley.Xu@nrc.gov

[RE: DOCKET NUMBER: 030-33162](#)
[MAIL CONTROL: 591372](#)

Dear Ms. Xu:

Following is the response to your letter dated 6 July, 2016, requesting added information on the transfer of ownership for LEDVANCE LLC. Please see responses below:

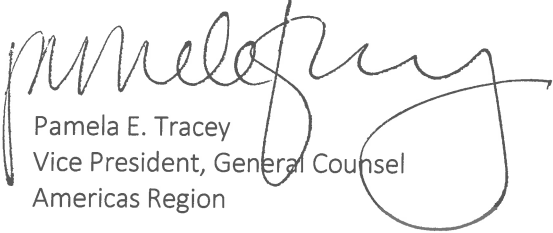
1. Copy of the California and Pennsylvania material license to transfer ownership: A copy of the California license is attached. You will need to contact John Chipppo at the State of Pennsylvania to obtain the license for the PA site; John stated he will not send us this document until you have the transfer completed at the Federal level.
2. Two Licenses on the Same E-Distribution License: The request for a new OSRAM Sylvania, Inc. E-Distribution license has been completed and is being sent in conjunction with this response. **Again, it is urgent that the LEDVANCE approval for transfer of control occurs simultaneously with the approval of the new E-Distribution license for OSRAM Sylvania. We have been working with you on this so I'm comfortable with the way it is being handled.**
3. Describe the method of marking or labeling each unit and its container with the identification of the manufacturer or the new initial transferor of the product, and the byproduct material in the product: We request an exemption from 10CFR32.15(d) as it applies to individual tubes and/or switches, provided that each lamp container is labeled in accordance with 10CFR32.15(d) (innermost container is labeled). The inner most container will have the name LEDVANCE LLC or OSRAM Sylvania, Inc., on it along with the words: "Krypton-85." We are using both possible names in that both companies retain the ability to distribute certain of the lamps.

Your help with this whole process is greatly appreciated Shirley. If you have any questions please feel free to contact our radiation safety consultant, Sue Engelhardt, 262-227-2341 or Sue@radexperts.com.

OSRAM SYLVANIA
200 Ballardvale Street
Wilmington, MA 01887
☎ (978) 570-3000

www.sylvania.com

Sincerely,



Pamela E. Tracey
Vice President, General Counsel
Americas Region

Cc Peter van Breda
Sue Engelhardt

RADIOACTIVE MATERIAL LICENSE

Pursuant to the California Code of Regulations, Division 1, Title 17, Chapter 5, Subchapter 4, Group 2, Licensing of Radioactive Material, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, use, possess, transfer, or dispose of 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, regulations, and orders of the California Department of Public Health now or hereafter in effect and to any standard or specific condition specified in this license.

1. Licensee: LEDVANCE LLC	3. License Number: 5873-36	12
2. Address: 1651 South Archibald Avenue Ontario, CA 91761	4. Expiration date: March 26, 2020	(5)
Attention: Anthony Addimando Radiation Safety Officer	5. Inspection agency: Radiologic Health Branch South	

License Number 5873-36 is hereby amended as follows:

6. Nuclide	7. Form	8. Possession Limit
A. Krypton-85	A. Gas in electron tubes or glow switches.	A. Not to exceed 6.5 kBq (175 nanocuries) per device. Total not to exceed 3.7 GBq (100 millicuries).

9. Authorized Use

- A. For possession and storage only. Distribution to be made under NRC exempt distribution License Number 20-30024 02E.

LICENSE CONDITIONS

10. Radioactive material shall be stored only at the following approved location:
- (a) 1651 South Archibald Avenue, Ontario, CA.
11. This license is subject to an annual fee for sources of radioactive material authorized to be possessed at any one time as specified in Items 6, 7, 8 and 9 of this license. The annual fee for this license is required by and computed in accordance with Title 17, California Code of Regulations, Sections 30230-30232 and is also subject to an annual cost-of-living adjustment pursuant to Section 100425 of the California Health and Safety Code.
12. Radioactive material shall be used by, or under the supervision of the following individual(s):
- (a) Anthony Addimando
- (b) Kyle Page

RADIOACTIVE MATERIAL LICENSELicense Number: 5873-36Amendment Number: 12

13. Except as specifically provided otherwise by this license, the licensee shall possess and use radioactive material described in Items 6, 7, 8 and 9 of this license in accordance with the statements, representations, and procedures contained in the documents listed below. The Department's regulations shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the regulations.
- (a) The renewal application and the letter, both dated March 2, 2010, with attachments thereto, signed by Michael Dixon, Radiation Safety Officer, and Distribution Center Manager.
 - (b) The letter of request with attachments dated July 15, 2014, signed by Anthony Addimando, regarding the new RSO, Anthony Addimando and the new ARSO, Frank Atmoko, with RH 2050A forms, both dated October 1, 2014, Delegation of Authority Form dated November 10, 2014, and 24-hour call list sent electronically by the RSO on January 8, 2015.
 - (c) The letters dated August 24, 2015, October 20, 2015, and November 4, 2015, all with attachments and all signed by Anthony Addimando, Radiation Safety Officer, including the updated emergency contact list.
 - (d) **The correspondence, dated May 18, 2016, signed by Peter van Breda, VP for Osram Sylvania, and Jane Running, Vice President of Finance for Ledvance, LLC, with attachments, regarding the change of company ownership and transfer of this materials license.**
14. (a) Radiation Safety Officer in this program shall be Anthony Addimando.
(b) The Alternate Radiation Safety Officer in this program shall be Kyle Page.
15. This license does not authorize commercial distribution of radioactive material pursuant to Title 17, California Code of Regulations, Sections 30180 and 30192 through 30192.6 or equivalent provisions of the U.S. Nuclear Regulatory Commission or Agreement States.
16. The licensee shall conduct a physical inventory every six months to account for all sealed sources and/or devices received and possessed under the license. Records of the inventories shall be maintained for inspection, and may be disposed of, following Department inspection.
17. The licensee shall comply with all requirements of Title 17, California Code of Regulations, Section 30373 when transporting or delivering radioactive materials to a carrier for shipment. These requirements include; packaging, marking, labeling, loading, storage, placarding, monitoring, and accident reporting. Shipping papers shall be maintained for inspection pursuant to the U.S. Department of Transportation requirements (Title 49, Code of Federal Regulations, Part 172, Sections 172.200 through 172.204).
18. The licensee will provide the Low Level Radioactive Waste (LLRW) reports specified in the California Health and Safety Code Section 115000.1(h) to the California Department of Public Health (CDPH) on an annual basis for both shipped and stored LLRW. Alternatively, LLRW shipment information may be provided on a per shipment basis. LLRW shipment information and annual reports shall be mailed to:

Attn: LLRW Tracking Program
California Department of Public Health
Radiologic Health Branch, MS 7610
P.O. Box 997414
Sacramento, CA 95899-7414

RADIOACTIVE MATERIAL LICENSE

License Number: 5873-36

Amendment Number: 12

- 19. At least 30 days prior to vacating any address of use listed in Condition 10 of this license, the licensee shall provide written notification of intent to vacate to the California Department of Public Health, in accordance with Title 17, California Code of Regulations, Section 30256 (b). Control of all licensed areas must be maintained until such areas are released by the Department for unrestricted use or the license is terminated, in accordance with Title 17, California Code of Regulations, Section 30256 (j).
- 20. A copy of this license and a copy of all the records and documents pertaining to this license shall be available for inspection at 1651 South Archibald Avenue, Ontario, CA.

Issued for the State of California Department of Public Health

Date: July 26, 2016

By: _____

Radiologic Health Branch
P.O. Box 997414-MS 7610
Sacramento, CA 95899-7414



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

July 6, 2016

Mr. Peter van Breda
Vice President, Logistic
Osram Sylvania, Inc.
200 Ballardvale Street
Wilmington, MA 01887

SUBJECT: REQUEST FOR ADDITIONAL INFORMATION

Dear Mr. van Breda:

This letter refers to your letter dated June 24, 2016, requesting transfer of the ownership of U.S. Nuclear Regulatory Commission (NRC) Exempt-Distribution Materials License No. 20-30024-02E to LEDVANCE LLC. In reviewing your application, we found that additional information is required.

Please note that Title 10 of the *Code of Federal Regulations* (10 CFR) 30.34(b), states: "No license issued or granted pursuant to the regulations in this part and parts 31 through 36, and 39 nor any right under a license shall be transferred, assigned or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of any license to any person, unless the Commission shall, after securing full information, find that the transfer is in accordance with the provisions of the Act and shall give its consent in writing." Therefore, control of licenses cannot be transferred without the prior written consent of the Commission, and no products can be distributed in the location listed in your letter until your request is granted.

Please provide the following information concerning changes of control.

1. Provide a copy of your California and Pennsylvania material license reflecting the change of the license name to LEDVANCE LLC.
2. Be advised that your license name cannot have two companies' name. If you transfer the control to LEDVANCE LLC, your license name will be LEDVANCE LLC, and your current license, 20-30024-02E, Amendment 21, Osram Sylvania, Inc., is no longer valid.
3. Describe the proposed method of labeling or marking each unit and its container with the identification of the manufacturer or the new initial transferor of the product, and the byproduct material in the product.

We will continue our review upon receipt of this information. If we do not receive a reply from you within 30 calendar days from the date of this letter, we will assume that you do not wish to pursue your application.

P. van Breda

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In accordance with 10 CFR 2.390 of NRC's "Agency Rules of Practice and Procedure," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC's Public Document Room or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions please contact me at (301) 415-7640, or by e-mail at Shirley.Xu@nrc.gov.

Sincerely,



Shirley S. Xu
Material Safety Licensing Branch
Division of Material Safety, States, Tribal,
and Rulemaking Programs
Office of Nuclear Material Safety
and Safeguards

Docket No.: 030-33162

Mail Control: 591372



ACKNOWLEDGEMENT - RECEIPT OF CORRESPONDENCE

Name and Address of Applicant and/or Licensee Osram Sylvania, Inc. ATTN: Peter van Breda 200 Ballardvale Street Wilmington, MA 01887	Date 07/05/2016
	License Number(s) 20-30024-02E
	Mail Control Number(s) 591372
	Licensing and/or Technical Reviewer or Branch Shirley Xu

This is to acknowledge receipt of your: Letter and/or Application Dated: 06/24/2016

The initial processing, which included an administrative review, has been performed.
 Amendment Termination New License Renewal

There were no administrative omissions identified during our initial review.

This is to acknowledge receipt of your application for renewal of the material(s) license identified above. Your application is deemed timely filed, and accordingly, the license will not expire until final action has been taken by this office.

Your application for a new NRC license did not include your taxpayer identification number. Please complete and submit NRC Form 531, Request for Taxpayer Identification Number, located at the following link: <http://www.nrc.gov/reading-rm/doc-collections/forms/nrc531.pdf>
 Follow the instructions on the form for submission.

The following administrative omissions have been identified:

Your application has been assigned the above listed MAIL CONTROL NUMBER. When calling to inquire about this action, please refer to this control number. Your application has been forwarded to a technical reviewer. Please note that the technical review, which is normally completed within 180 days for a renewal application (90 days for all other requests), may identify additional omissions or require additional information. If you have any questions concerning the processing of your application, our contact information is listed below:

Headquarters
 U. S. Nuclear Regulatory Commission
 NMSS/MSTR/Materials Safety Licensing Branch
 Mail Stop: T8E18
 Washington, D.C. 20555-0001
 E-Mail: LBLicensingAssistant.Resource@nrc.gov