



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

August 29, 2017

Columbia University  
Nevis Laboratories  
ATTN: Amy Garwood, Sr. Manager  
P.O. Box 137  
Irvington, NY 10533

SUBJECT: DISCONTINUATION OF THE EVALUATION OF COLUMBIA UNIVERSITY  
NEVIS LABORATORIES APPLICATION FOR AN EXEMPT DISTRIBUTION  
LICENSE

Dear Ms. Garwood:

This letter is in regard to your application dated December 6, 2016, requesting an exempt distribution license (Agencywide Documents Access and Management System (ADAMS) No. ML16349A161) (non-public). After reviewing your application, the U.S. Nuclear Regulatory Commission (NRC) staff reconsidered the circumstances under which an exempt-distribution license could be issued, and concluded that your application did not meet certain requirements of the regulations in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 32. Specifically, the staff found that contrary to 10 CFR 32.11(b), Columbia University Nevis Laboratories (Nevis) could not provide a description of the intended use of the byproduct material and the product or material into which it is introduced; and contrary to 10 CFR 32.11(c), Nevis could not provide reasonable assurance that the reconcentration of the byproduct material in concentrations exceeding those in § 30.70 is not likely.

Following discussions with Thomas L. Morgan, Ph.D., and other staff of Columbia University, it was agreed that due to the NRC staff's reconsideration, Nevis could offer to withdraw its application, and that under these circumstances, the license application fee could be refunded. A letter dated August 15, 2017 (ADAMS No. ML17228A739), signed by Dr. Morgan, requested this withdrawal.

In accordance with 10 CFR 2.390 a copy of this letter will be available electronically for public inspection in NRC's Public Document Room or from the Publicly Available Records 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).

A. Garwood

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If you have any questions, please contact me at 301-415-5637, or via e-mail at [Hipolito.Gonzalez@nrc.gov](mailto:Hipolito.Gonzalez@nrc.gov).

Sincerely,

**/RA/**

Hipolito Gonzalez, Chief  
Materials Safety Licensing Branch  
Division of Material Safety, States, Tribal  
and Rulemaking Programs  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 030-39016

DISCONTINUATION OF THE EVALUATION OF COLUMBIA UNIVERSITY NEVIS  
LABORATORIES APPLICATION FOR AN EXEMPT DISTRIBUTION LICENSE

Date: August 29, 2017

**ML17237B990**

<b>OFC</b>	NMSS/MSTR/MSLB	NMSS/MSTR/MSLB	NMSS/MSTR/MSLB
<b>NAME</b>	Richard Struckmeyer	Deborah Weaver	Hipolito Gonzalez
<b>DATE</b>	08/29/2017	08/28/2017	08/29/2017

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