



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

October 31, 2017

Ushio America, Inc.  
ATTN: Rez Motamed  
Senior Manager, Regulatory Compliance  
5440 Cerritos Avenue  
Cypress, CA 90630

SUBJECT: USHIO AMERICA, INC., REQUEST FOR ADDITIONAL INFORMATION  
REGARDING AMENDMENT REQUEST FOR EXEMPT DISTRIBUTION  
LICENSE 04-23968-01E

Dear Mr. Motamed:

This letter refers to your letter dated October 18, 2017, received on October 23, 2017, (Agencywide Documents Access and Management System [ADAMS] Accession No. ML17297A123) responding our letter dated August 8, 2017 for Exempt Distribution License 04-23968-01E. In reviewing your response, we have determined additional information is required to complete our review. In order to continue our review, please address the issues listed below. This information is required by Title 10 of the *Code of Federal Regulations* (10 CFR) 40.52, "Certain items containing source material; requirements for license to apply or initially transfer."

As mentioned in our letter dated August 8, 2017, and an e-mail dated September 28, 2017, the labeling requirement for distribution of this product is under 10 CFR 40.52(b)(4), in that, it requires the labeling or marking each unit, and/or its container with the identification of the manufacturer or initial transferor of the product and the source material in the product. Your response did not provide 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 source 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.

Please be aware that upon your request, proprietary information submitted to the U.S. Nuclear Regulatory Commission (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).

In accordance with 10 CFR 2.390 "Public inspections, exemptions, requests for withholding," 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 ADAMS. ADAMS is accessible from the NRC web site at <http://www.nrc.gov/reading-rm/adams.html>.

R. Motamed

2

If you have any questions regarding the exempt distribution license, please contact me at (301) 415-7640, or by e-mail at [Shirley.Xu@nrc.gov](mailto:Shirley.Xu@nrc.gov).

Sincerely,

**/RA/**

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

Docket No. 030-37966  
Mail Control No. 601457

R. Motamed

3

USHIO AMERICA, INC., REQUEST FOR ADDITIONAL INFORMATION REGARDING  
AMENDMENT REQUEST FOR EXEMPT DISTRIBUTION LICENSE 04-23968-01E

Date: October 31, 2017

Certified Mailing No. 7015 3010 0000 7901 7366

**ML17303A034**

<b>OFC</b>	NMSS/MSLB	NMSS/MSLB	NMSS/MSLB
<b>NAME</b>	Shirley Xu	Deborah Weaver	Shirley Xu
<b>DATE</b>	10/31/17	10/31/17	10/31/17

OFFICIAL RECORD COPY