

(10-2017)
10 CFR 30, 32,
33, 34, 35, 36,
37, 39, and 40



APPLICATION FOR MATERIALS LICENSE

Estimated burden per response to comply with this mandatory collection request: 4.3 hours. Submittal of the application is necessary to determine that the applicant is qualified and that adequate procedures exist to protect the public health and safety. Send comments regarding burden estimate to the Information Services Branch (T-2 F43), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by e-mail to Infocollects.Resource@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0120), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

INSTRUCTIONS: SEE THE CURRENT VOLUMES OF THE NUREG-1556 TECHNICAL REPORT SERIES ("CONSOLIDATED GUIDANCE ABOUT MATERIALS LICENSES") FOR DETAILED INSTRUCTIONS FOR COMPLETING THIS FORM: <http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/>. SEND TWO COPIES OF THE COMPLETED APPLICATION TO THE NRC OFFICE SPECIFIED BELOW.

APPLICATION FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH:

MATERIALS SAFETY LICENSING BRANCH
DIVISION OF MATERIAL SAFETY, STATE, TRIBAL AND RULEMAKING PROGRAMS
OFFICE OF NUCLEAR MATERIALS SAFETY AND SAFEGUARDS
U.S. NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555-0001

ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS:

IF YOU ARE LOCATED IN:

ALABAMA, CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, FLORIDA, GEORGIA, KENTUCKY, MAINE, MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, NORTH CAROLINA, PENNSYLVANIA, PUERTO RICO, RHODE ISLAND, SOUTH CAROLINA, TENNESSEE, VERMONT, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA,

SEND APPLICATIONS TO:

LICENSING ASSISTANCE TEAM
DIVISION OF NUCLEAR MATERIALS SAFETY
U.S. NUCLEAR REGULATORY COMMISSION, REGION I
2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PA 19406-2713

IF YOU ARE LOCATED IN:

ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, SEND APPLICATIONS TO:

MATERIALS LICENSING BRANCH
U.S. NUCLEAR REGULATORY COMMISSION, REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, IL 60532-4352

IF YOU ARE LOCATED IN:

ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, HAWAII, IDAHO, KANSAS, LOUISIANA, MISSISSIPPI, MONTANA, NEBRASKA, NEVADA, NEW MEXICO, NORTH DAKOTA, OKLAHOMA, OREGON, PACIFIC TRUST TERRITORIES, SOUTH DAKOTA, TEXAS, UTAH, WASHINGTON, OR WYOMING,

SEND APPLICATIONS TO:

NUCLEAR MATERIALS LICENSING BRANCH
U.S. NUCLEAR REGULATORY COMMISSION, REGION IV
1600 E. LAMAR BOULEVARD
ARLINGTON, TX 76011-4511

PERSONS LOCATED IN AGREEMENT STATES SEND APPLICATIONS TO THE U.S. NUCLEAR REGULATORY COMMISSION ONLY IF THEY WISH TO POSSESS AND USE LICENSED MATERIAL IN STATES SUBJECT TO U.S. NUCLEAR REGULATORY COMMISSION JURISDICTIONS.

<p>1. THIS IS AN APPLICATION FOR (Check appropriate item)</p> <p><input checked="" type="checkbox"/> A. NEW LICENSE (Possession License)</p> <p><input type="checkbox"/> B. AMENDMENT TO LICENSE NUMBER _____</p> <p><input type="checkbox"/> C. RENEWAL OF LICENSE NUMBER _____</p>	<p>2. NAME AND MAILING ADDRESS OF APPLICANT (Include zip code)</p> <p>BWOS, LLC 1410 Hancel Parkway Mooresville, IN 46158</p>
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<p>3. ADDRESS WHERE LICENSED MATERIALS WILL BE USED OR POSSESSED</p> <p>BWOS, LLC 1410 Hancel Parkway Mooresville, IN 46158</p>	<p>4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION</p> <p>Tony Buxt</p> <table border="1"> <tr> <td>BUSINESS TELEPHONE NUMBER</td> <td>BUSINESS CELLULAR TELEPHONE NUMBER</td> </tr> <tr> <td>612. 558. 9000</td> <td></td> </tr> <tr> <td colspan="2">BUSINESS E-MAIL ADDRESS</td> </tr> <tr> <td colspan="2">certifications@bwos.com</td> </tr> </table>	BUSINESS TELEPHONE NUMBER	BUSINESS CELLULAR TELEPHONE NUMBER	612. 558. 9000		BUSINESS E-MAIL ADDRESS		certifications@bwos.com	
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SUBMIT ITEMS 5 THROUGH 11 ON 8-1/2 X 11" PAPER. THE TYPE AND SCOPE OF INFORMATION TO BE PROVIDED IS DESCRIBED IN THE LICENSE APPLICATION GUIDE.					
<p>5. RADIOACTIVE MATERIAL</p> <p>a. Element and mass number; b. chemical and/or physical form; and c. maximum amount which will be possessed at any one time.</p>	<p>6. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED.</p>				
<p>8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS.</p>	<p>7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING AND EXPERIENCE.</p>				
<p>10. RADIATION SAFETY PROGRAM.</p>	<p>9. FACILITIES AND EQUIPMENT.</p>				
<p>12. LICENSE FEES (Fees required only for new applications, with few exceptions*) (See 10 CFR 170 and Section 170.31) *Amendments/Renewals that increase the scope of the existing license to a new or higher fee category will require a fee.</p>	<p>11. WASTE MANAGEMENT.</p> <table border="1"> <tr> <td>FEE CATEGORY</td> <td>3B</td> <td>AMOUNT ENCLOSED \$</td> <td>3,400⁰⁰</td> </tr> </table>	FEE CATEGORY	3B	AMOUNT ENCLOSED \$	3,400 ⁰⁰
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PER THE DEBT COLLECTION IMPROVEMENT ACT OF 1996 (PUBLIC LAW 104-134), YOU ARE REQUIRED TO PROVIDE YOUR TAXPAYER IDENTIFICATION NUMBER. PROVIDE THIS INFORMATION BY COMPLETING NRC FORM 531: <https://www.nrc.gov/reading-rm/doc-collections/forms/nrc531info.html>.

13. CERTIFICATION. (Must be completed by applicant) THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BINDING UPON THE APPLICANT.

THE APPLICANT AND ANY OFFICIAL EXECUTING THIS CERTIFICATION ON BEHALF OF THE APPLICANT, NAMED IN ITEM 2, CERTIFY THAT THIS APPLICATION IS PREPARED IN CONFORMITY WITH TITLE 10, CODE OF FEDERAL REGULATIONS, PARTS 30, 32, 33, 34, 35, 36, 37, 39, AND 40, AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF.
WARNING: 18 U.S.C. SECTION 1001 ACT OF JUNE 25, 1948 62 STAT. 749 MAKES IT A CRIMINAL OFFENSE TO MAKE A WILLFULLY FALSE STATEMENT OR REPRESENTATION TO ANY DEPARTMENT OR AGENCY OF THE UNITED STATES AS TO ANY MATTER WITHIN ITS JURISDICTION.

<p>CERTIFYING OFFICER -- TYPED/PRINTED NAME AND TITLE</p> <p>Ed Moulia - Chief Financial Officer</p>	<p>SIGNATURE</p>	<p>DATE</p> <p>3-14-18</p>
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FOR NRC USE ONLY

TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
			\$		
APPROVED BY				DATE	

RECEIVED MAR 20 2018

ATTACHMENT #1

Item 5. Radioactive Material:

- (a) Krypton-85: Krypton-85 (Kr-85) is the physical form of a gas containing Argon and Krypton.
- (b) Kr-85's chemical form is a noble (i.e. non-reactive) gas.
- (c) Maximum Amount of Kr-85 to be Possessed at Any One Time: 0.4 MBq (millicuries)

Item 6. Purpose for Which Licensed Material Will Be Used:

The Kr-85 gas is present in the arc tubes of metal halide and ceramic metal halide H.I.D (High Intensity Discharge) lamps. There is about 0.0025 to 9.3 kBq of Kr-85 gas in each arc tube. Each MH lamp contains one arc tube. Radioactive material does not escape from the intact, sealed arc tube. The self-shielded, or protected, lamps use a quartz tube (shroud) made from fused or amorphous silica to surround the arc tube for containment purposes. The lamps are stored in sleeves and cardboard cartons further contained in cardboard master case boxes.

The lamps are used in indoor gardening applications to grow plants.

The lamps which are distributed and sold by BWGS, LLC on a wholesale basis, are manufactured by:
Nanjing New-High Jingwei Electric Co.
No. 30 Xinke Er Road
Nanjing High-Tech Zone
Nanjing, CHN

Item 7. Individual(s) Responsible for Radiation Safety Program and Their Training and Experience:

While various safety programs such as the Injury and Illness Prevention Program and Training and Handling of HAZMAT Materials programs (which are intended to provide guidance for complying with OSHA guidelines) currently exist, BWGS LLC has no training programs dedicated to radiation safety per se. The lamp products containing Kr-85 comprise approximately 1% of the number of total products distributed.

ATTACHMENT #2

Item 8. Training for Individuals Working In or Frequenting Restricted Areas:

There are no individuals with assigned duties specifically to products containing radiation material. BWGS LLC is a wholesale gardening distribution company whose warehouse staff is engaged to pick, pack and ship products.

Item 9. Facilities and Equipment:

Due to the fact that (a) we do not manufacture the lamps containing Kr-85, (b) the small number of lamps in relation to the entire quantity of other products distributed (4,000+), (c) the sealed structure of the lamps, and (d) the packaging of the lamps (contained in sleeves, cardboard cartons and cardboard master cases), these lamp products are treated like all other products and housed in safety-approved warehouse racking in accordance with OSHA rules and regulations and local fire code standards.

Item 10. Radiation Safety Program:

No such program currently exists due to the small number of overall products that BWGS LLC distributes containing such minimal amounts of Kr-85 as it relates to the scope of this license application.

Item 11. Waste Management:

Any breakage and subsequent disposal of lamps containing Kr-85 are recycled via local recycling practices according to the Morgan County Solid Waste Management District which is governed by the Indiana Department of Environmental Management. Although it is deemed that any breakage of one or a small number of lamps will result in no significant exposure to the individual, care is taken to properly clean up and dispose of the lamps in accordance with state and local laws.

NRC Data
 BWGS, LLC
 NMSS-2017-A-0026

Item ID	Description, Quantity of Radionuclide & Address	Total	nCi	Total nCi	Vendor Name	Address1	Address2	City	Country
ICS1203	ION CMH 315W Sys 120/208/240V 3100K	216	1.51	326.16	NANJING NEW-HIGH JINGWEI ELEC CO 3	No.30 Xinke Er Rd	Nanjing High-Tech Zone	Nanjing	CHN
ICS1204	ION CMH 315W Sys 120/208/240V 4200K	231	1.51	348.81	NANJING NEW-HIGH JINGWEI ELEC CO 3	No.30 Xinke Er Rd	Nanjing High-Tech Zone	Nanjing	CHN
OC3130	OE 315W CMH Lamp 3100K	423	1.51	638.73	NANJING NEW-HIGH JINGWEI ELEC CO 3	No.30 Xinke Er Rd	Nanjing High-Tech Zone	Nanjing	CHN
OC4130	OE 315W CMH Lamp 4200K	437	1.51	659.87	NANJING NEW-HIGH JINGWEI ELEC CO 3	No.30 Xinke Er Rd	Nanjing High-Tech Zone	Nanjing	CHN
OM4140	OE 400W MH Lamp 4200K	498	108.00	53,784.00	NANJING NEW-HIGH JINGWEI ELEC CO 3	No.30 Xinke Er Rd	Nanjing High-Tech Zone	Nanjing	CHN
OM4160	OE 600W MH Lamp 4200K	467	136.00	63,512.00	NANJING NEW-HIGH JINGWEI ELEC CO 3	No.30 Xinke Er Rd	Nanjing High-Tech Zone	Nanjing	CHN
OM4199	OE 1000W MH Lamp 4200K	989	191.70	189,591.30	NANJING NEW-HIGH JINGWEI ELEC CO 3	No.30 Xinke Er Rd	Nanjing High-Tech Zone	Nanjing	CHN

Max. # of Units on Hand at One Time

Item ID	Short Description	Total	nCi	Total nCi
ICS1203	ION CMH 315W Sys 120/208/240V 3100K	741	1.51	1,118.91
ICS1204	ION CMH 315W Sys 120/208/240V 4200K	250	1.51	377.50
OC3130	OE 315W CMH Lamp 3100K	484	1.51	730.84
OC4130	OE 315W CMH Lamp 4200K	483	1.51	729.33
OM4140	OE 400W MH Lamp 4200K	500	108.00	54,000.00
OM4160	OE 600W MH Lamp 4200K	504	136.00	68,544.00
OM4199	OE 1000W MH Lamp 4200K	1008	191.70	193,233.80

of Units Transferred by Model

Item ID	Short Description	Total
ICS1203	ION CMH 315W Sys 120/208/240V 3100K	534
ICS1204	ION CMH 315W Sys 120/208/240V 4200K	19
OC3130	OE 315W CMH Lamp 3100K	69
OC4130	OE 315W CMH Lamp 4200K	55
OM4140	OE 400W MH Lamp 4200K	2
OM4160	OE 600W MH Lamp 4200K	37
OM4199	OE 1000W MH Lamp 4200K	7

2/9/2018

BWGS, LLC
1410 Hancel Parkway
Mooresville, IN 46158



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Materials Licensing Branch
U.S. Nuclear Regulatory Commission
Region III
2443 Warrensville Road, Suite 210
Lisle, Illinois
60532-4352

