

Weaver, Deborah

From: Sarnowsky, Mel <mel.sarnowsky@lumileds.com>
Sent: Monday, May 07, 2018 2:53 PM
To: Xu, Shirley
Cc: Sarnowsky, Mel
Subject: [External_Sender] RE: RE: Lumileds License application

Dear Ms. Xu,

On behalf of Lumileds LLC, I am submitting the following response to your email of April 25th, 2018.

Your comment: *In regard to labeling requirement, if labeling each individual unit is not feasible for labeling due to space limitations, then labeling the single lamp packaging/container for thorium-containing automotive HID lamps is acceptable.* Lumileds is highly appreciating your acceptance on labeling the single lamp packaging/container due to space limitations of the individual units.

Your comment: *The annual reporting requirement is under 10 CFR 40.53(c). You mentioned 49 CFR 173.436 and 49 CFR 173.426 in your response letter, these regulation do not apply to this distribution license, nor do apply to the requirement of annual report for this license under 10 CFR 40.53. You will be required to submit an annual report for the license.*

Lumileds is fully understanding the annual reporting requirements under 10 CFR 40.53. and is going to submit annual reports to fully comply with this requirement.

Your comment: *Please explain the statement in page 7 in your letter, dated April 4, 2018, "For Lumileds it is somewhat difficult to oversee the legal obligation for our thorium-containing products."*

This specific statement belongs to Lumileds response dated April 4th, 2018 with regard to the annual reporting obligations. Lumileds erroneously interpreted that 49 CFR 173.436 and 49 CFR 173.426 might be applicable to be exempted from annual reporting duties under 10 CFR 40.53. Lumileds is fully understanding and acknowledging the obligations on annual reporting requirements under 10 CFR 40.53. and is going to submit annual reports to fully comply with this requirement.

We look forward to your response.

Thank you.

Mel Sarnowsky

Business Development Manager - OEM
mel.sarnowsky@lumileds.com

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From: Xu, Shirley [mailto:Shirley.Xu@nrc.gov]
Sent: Friday, May 04, 2018 4:18 PM

To: Sarnowsky, Mel <mel.sarnowsky@lumileds.com>

Subject: RE: RE: Lumileds License application

Thanks for the response. Looking forward to your response next week.

From: Sarnowsky, Mel [<mailto:mel.sarnowsky@lumileds.com>]

Sent: Friday, May 04, 2018 12:03 PM

To: Xu, Shirley <Shirley.Xu@nrc.gov>

Cc: Sarnowsky, Mel <mel.sarnowsky@lumileds.com>

Subject: [External_Sender] RE: Lumileds License application

Dear Ms. Xu,

Thank you for your reply.

Lumileds is in the process of preparing a response to your email, which I expect to provide to you early next week.

Mel Sarnowsky

Business Development Manager - OEM

mel.sarnowsky@lumileds.com

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From: Xu, Shirley [<mailto:Shirley.Xu@nrc.gov>]

Sent: Wednesday, April 25, 2018 8:49 AM

To: Sarnowsky, Mel <mel.sarnowsky@lumileds.com>

Subject: Lumileds License application

Mr. Sarnowsky,

The purpose of this email is to clarify a couple of issues from your response to our letter dated March 8, 2018.

In regard to labeling requirement, if labeling each individual unit is not feasible for labeling due to space limitations, then labeling the single lamp packaging/container for thorium-containing automotive HID lamps is acceptable.

The annual reporting requirement is under 10 CFR 40.53(c). You mentioned 49 CFR 173.436 and 49 CFR 173.426 in your response letter, these regulation do not apply to this distribution license, nor do apply to the requirement of annual report for this license under 10 CFR 40.53. You will be required to submit an annual report for the license.

Please explain the statement in page 7 in your letter, dated April 4, 2018, "For Lumileds it is somewhat difficult to oversee the legal obligation for our thorium-containing products." We will continue our review upon receiving your response to this email.

Regards,

Shirley Xu

U.S. Nuclear Regulatory Commission

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