

30-38282

VIA FEDERAL EXPRESS

June 28, 2019

Director
Office of Federal and State Materials
and Environmental Management Programs
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
ATTN: Document Control Desk/Exempt Distribution

Re: Decommissioning and License Termination of Kr-85 materials under License
Number 04-23985

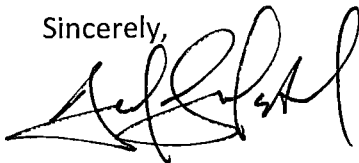
04-23985-DIE

To Whom It May Concern:

As a follow-up to my letter to your office dated June 27, 2019, enclosed is a copy of correspondence to the California Department of Public Health, Radiologic Health Branch requesting termination of Hitachi's Radioactive Material License (#7820-36) and decommissioning of its Southern California warehouse facility located 8369 Milliken Avenue, Rancho Cucamonga, California 91730.

If you have any questions, please do not hesitate to contact me by email (neal.svalstad@hal.hitachi.com) or telephone (619-591-5337).

Sincerely,



Neal Svalstad, Esq.
Assistant General Counsel

cc: Juan Camacho (Radiation Safety Officer, Hitachi America, Ltd.)
Masazumi Kaji (Hitachi America, Ltd.)

NMSS03
NMSS

VIA FEDERAL EXPRESS AND ELECTRONIC MAIL (ronald.rogus@cdph.ca.gov)

June 28, 2019

Ronald Rogus
Department of Public Health
Radiologic Health Branch
P.O. Box 997414, MS-7610
Sacramento, California 95899-7414

Re: Notification of Intent to Terminate License and Request for Consent to
Decommission Warehouse Facility under License Number 7820-36.

Dear Mr. Rogus:

The purpose of this letter is to notify the Department of Public Health, Radiologic Health Branch (the "Department") that Hitachi America, Ltd. ("Hitachi") has ceased all procurement, storage and distribution of Kr-85-containing products (i.e., digital projectors and replacement lamps containing very small amounts of Kr-85) under Hitachi's possession License Number 7820-36 (the "License"), and that, accordingly, Hitachi respectfully requests the Department's consent to terminate the License and to decommission its licensed Southern California warehouse facility located 8369 Milliken Avenue, Rancho Cucamonga, California 91730 (the "Warehouse").

1. Disposition of Materials

Hitachi has no remaining Kr-85-containing products in inventory and has permanently ceased all business activities involving any type of development, importation, storage, resale or distribution of such products.

Accordingly, Hitachi respectfully requests that the Department consent to Hitachi's termination of the License and decommissioning of the Warehouse pursuant to the enclosed form RHB 5314.

2. Hitachi's Radiation Safety Officer's Kr-85 Survey Report

Hitachi's Radiation Safety Officer performed an on-site inspection of the specially segregated area of the Warehouse reserved for Kr-85-containing products to confirm the absence of all such products.

Hitachi's Radiation Safety Officer also took steps to ensure that all existing safety-related signage, physical barriers, policies, procedures and practices, and all related business and compliance records, regulations, standard operating procedures, forms and reference materials remain in place and will be undisturbed pending the Department's approval to terminate the License and decommission the Warehouse. His

Mr. Ronald Rogus—Department of Public Health—Radiologic Health Branch

June 28, 2019

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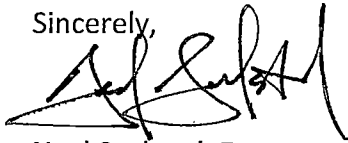
inspection activities and results are described in his survey report, a copy of which is attached as Appendix A to this letter.

* * *

Thank you in advance for your support and attention to this matter. It is greatly appreciated.

If you have any questions, please do not hesitate to contact me by email (neal.svalstad@hal.hitachi.com) or telephone (619-591-5337).

Sincerely,

A handwritten signature in black ink, appearing to read 'Neal Svalstad', written over a horizontal line.

Neal Svalstad, Esq.
Senior Corporate Counsel

cc: Juan Camacho (Radiation Safety Officer, Hitachi America, Ltd.)
Masazumi Kaji (Hitachi America, Ltd.)
US NRC, Material Radiation Protection Section

ENCLOSURES: Form RHB 5314 and Appendix A

CERTIFICATE OF DISPOSITION OF MATERIALS

INSTRUCTIONS Mail completed and signed form to California Department of Public Health, Radiologic Health Branch, Licensing Section, MS 7610, P.O. Box 997414, Sacramento, CA 95899-7414. For more information, phone (916) 327-5106 or go to the Radiologic Health Branch Website at www.cdph.ca.gov/RHB.

LICENSEE NAME AND ADDRESS Hitachi America, Ltd. 2420 Fenton Street, Suite 200 Chula Vista, CA 91914	LICENSE NUMBER 7820-36 LICENSE EXPIRATION DATE February 26, 2020
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A. MATERIALS DATA (Check one and complete as necessary.)

THE LICENSEE OR ANY INDIVIDUAL EXECUTING THIS CERTIFICATE ON BEHALF OF THE LICENSEE CERTIFIES THAT: (Check and/or complete the appropriate item(s) below.)

- ☐ 1. NO MATERIALS HAVE EVER BEEN PROCURED OR POSSESSED BY THE LICENSEE UNDER THIS LICENSE, **OR**
- ☐ 2. ALL MATERIALS PROCURED AND/OR POSSESSED BY THE LICENSEE UNDER THE LICENSE NUMBER CITED ABOVE HAVE BEEN DISPOSED OF IN THE FOLLOWING MANNER. (If additional space is needed, use the reverse side or provide attachments.)

Describe specific material transfer actions and, if there were radioactive wastes generated in terminating this license, the disposal actions including the disposition of low-level radioactive waste, mixed waste, greater than Class C waste, and sealed sources, if applicable.

For transfers, specify the date of the transfer, the name of the license recipient, and the recipient's California license number of NRC or Agreement State name and the license number.

If materials were disposed of directly by the licensee rather than transferred to another licensee, licensed disposal site or waste contractor, describe the specific disposal procedures (e.g., decay in storage).

Attach a list containing the location and description of all equipment to remain onsite after license termination that was contaminated when final decommissioning was initiated.

B. OTHER DATA

- ☒ 1. OUR LICENSE HAS NOT YET EXPIRED, PLEASE TERMINATE IT.
2. A RADIATION SURVEY WAS CONDUCTED BY THE LICENSEE TO CONFIRM THE ABSENCE OF LICENSED RADIOACTIVE MATERIALS AND TO DETERMINE WHETHER ANY CONTAMINATION REMAINS ON THE PREMISES COVERED BY THE LICENSE. (Check one)
- ☐ NO (attach explanation)
- ☒ YES, THE RESULTS: (check one)
- ☒ ARE ATTACHED, **or**
- ☐ WERE FORWARDED TO RHB ON (date): _____

3. PERSON TO BE CONTACTED

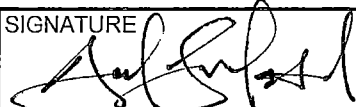
NAME Neal Svalstad, Assistant General Counsel	TELEPHONE NUMBER (INCLUDE AREA CODE) 619 591-5337
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4. MAIL ALL FUTURE CORRESPONDENCE REGARDING THIS LICENSE TO

Hitachi America, Ltd. 2420 Fenton Street, Suite 200, Chula Vista, CA 91914

CERTIFYING OFFICIAL

I certify that the foregoing is true and correct.

PRINT NAME AND TITLE Neal Svalstad, Assistant General Counsel	SIGNATURE 	DATE 6-28-2019
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APPENDIX A

Hitachi's Radiation Safety Officer Survey Report

Please see following pages.

Kr-85 Survey Report

On the morning of June 27, 2019, I arrived at the Rancho Cucamonga, California warehouse of Hitachi America, Ltd. ("Hitachi") at approximately 11:00 am to conduct a survey of the premises and verify the inventory status of Kr-85-containing projectors and projector replacement lamps. This report is a summary of the actions taken.

Part A. Verification of Zero Inventory at the Rancho Cucamonga, California Warehouse

As noted, on June 27, 2019, I arrived at the Rancho Cucamonga, California warehouse at approximately 11:00 am.

1. I took a photo of the existing Kr-85 storage area, which contained no inventory of products whatsoever, the "Caution: Radiation Area" warning signage, yellow area entry/access segregation chain and warning placard, and the damaged goods bin, which was completely empty. A photo of this storage area is set forth in Attachment 1 to this report.
2. I also personally confirmed with certainty that no Kr-85-containing projectors, lamps or other materials or goods of any kind were present in the shipping staging area, warehouse offices, and surrounding areas.
3. I obtained (from Hitachi's SAP accounting systems) a real-time inventory report for all Kr-85 containing goods as of June 27, 2019 which confirmed there are no remaining Kr-85-containing goods in Hitachi's inventory.

Part B. Radiation Survey at the Rancho Cucamonga, California Warehouse

1. I personally conducted a survey of the Kr-85 storage area and confirmed with certainty that no Kr-85 material or Kr-85 containing goods were present. All Kr-85 products that have ever been possessed under this license have been sealed products and no leaking sources have ever been identified.
2. I inspected the damaged goods bin to confirm it was completely empty and verified that the existing Kr-85 "Caution: Radiation Area" warning signage, yellow area entry/access segregation chain and warning placard remain in place pursuant to our normal practice and advised warehouse staff that these items must remain in place until the California Department of Public Health approves the decommissioning of the warehouse.
3. I verified that the California regulations, slip sheets and other Kr-85 records currently in the warehouse operator's administrative office remain in place pursuant to our normal practice and advised warehouse staff that these items must remain in place until the California Department of Public Health approves the decommissioning of the warehouse.
4. I advised warehouse staff and the shipping and logistics staff that the Kr-85-containing goods storage area must remain empty, and must not be used for any other purpose until the California Department of Public Health approves the decommissioning of the warehouse.

Signed: _____

Juan Camacho
Radiation Safety Officer (Kr-85 Projectors and Lamps)
Hitachi America, Ltd.

Date: _____

6/28/2019

ATTACHMENT

