



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

August 31, 2015

Herley Industries, Inc.  
Attn: Peter McGondel, RSO  
10 Sonar Drive  
Woburn, MA 01801

SUBJECT: CORRECTED COPY OF EXEMPT DISTRIBUTION LICENSE AMENEDMENT  
NO. 12. FOR HERLEY INDUSTRIES, INC.

Dear Mr. McGondel:

Please find enclosed a corrected copy of amendment No. 12 of your U.S. Nuclear Regulatory Commission (NRC) exempt distribution license No. 20-13270-02E. The enclosed copy corrects the company name misspell from "Indsutries" to "Industries." In addition license item no. 6 and no. 9 were corrected to reflect the correct chemical and/or physical form of Hydrogen-3 and Cobalt-60.

Please review the enclosed documents carefully and be sure that you understand all the conditions. If there are any errors or questions, please contact me so that appropriate corrections or answers can be provided.

Please be advised that you must manufacture and distribute the products in accordance with the statements and representations contained in your application, with enclosures thereto, and the information set out in your license and registration certificate. As a general rule, you must request and obtain an amendment to the license before you make changes or modifications to the information submitted to obtain them. You are also obligated to notify us promptly in writing should you decide to no longer distribute the product.

Please be advised that you must conduct your program involving radioactive materials in accordance with the conditions specified in your NRC license, representations made in your license application, and other rules, regulations, and orders of the NRC, now or hereafter in effect, to include the following:

1. Comply with applicable NRC regulations in 10 CFR Part 30, "Rules of General Applicability to Domestic Licensing of Byproduct Material"; 10 CFR Part 32, "Specific Domestic Licenses to Manufacture or Transfer Certain Items Containing Byproduct Material"; and other applicable regulations.

NOTE: Licensees authorized to distribute or initially transfer products containing byproduct material must also possess a valid possession license issued either by NRC or an Agreement State(s) which authorizes possession and use of byproduct material.

2. Distribute only those products containing radioactive material which are specifically authorized in your license.
3. Notify NRC in writing within 30 days of any change in mailing address.
4. In accordance with 10 CFR 30.33, 30.34 and 30.38, please file appropriate documentation with the NRC prior to any changes to your organization, change locations of distribution of products containing radioactive material, facilities, equipment, procedures, change in the contact person or the person responsible for the quality assurance program for licensed activities, or any other changes in your program which are contrary to the license conditions or representations made in your license application and any supplemental correspondence with the NRC.
5. Submit a complete renewal application or termination request at least 30 days before the expiration date on your license. You should receive a reminder notice approximately 60 days before the expiration date. Continued distribution of products containing radioactive material after your license expires is a violation of NRC regulations.
6. In accordance with 10 CFR 30.36, request termination of your license if you plan to permanently discontinue activities involving distribution of products containing radioactive material.

You will be periodically inspected by NRC. Failure to conduct your program in compliance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC may result in enforcement action(s) against you. This could include issuance of a notice of violation; proposed imposition of a civil penalty; or an order suspending, modifying, or revoking your license as specified in the "General Statement of Policy and Procedures for NRC Enforcement Actions," (NUREG-1600).

Please be aware that, as a holder of an NRC license, you may be subject to the NRC's annual fees in accordance with 10 CFR Part 171. If you have any questions concerning the fee requirements, please contact the Accounts Receivable Branch at (301) 415-7554.

In accordance with 10 CFR 2.390 of NRC's "Agency Rules of Practice and Procedures," a copy of this letter will be available electronically for public inspection in NRC's Public Document Room or from the Publicly Available Records (PARS) component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC web site at <http://www.nrc.gov/NRC/ADAMS/index.html>.

If you have questions regarding your exempt distribution license, please contact me at (301) 415-6004, or by electronic mail at [Hector.Rodriguez-Luccioni@nrc.gov](mailto:Hector.Rodriguez-Luccioni@nrc.gov).

Sincerely,

**/RA/**

Hector Rodriguez-Luccioni  
Material Safety Licensing Branch  
Division of Material Safety, State, Tribal  
and Rulemaking Programs  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 030-04746

Enclosure:  
Corrected Copy of License No. 20-13270-02E

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Sincerely,

/RA/

Hector Rodriguez-Luccioni  
Materials Safety Licensing Branch  
Division of Material Safety, States, Tribal,  
and Rulemaking Programs  
Office of Nuclear Material Safety  
and Safeguards

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DISTRIBUTION: RI/DNMS

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NAME	Hector Rodriguez-Luccioni	Shirley Xu	Hipolito Gonzalez	Hector Rodriguez-Luccioni <b>Hipolito Gonzalez for:</b>
DATE	08/27/2015	08/27/2015	08/31/2015	08/31/2015

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