



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

March 17, 2016

Hess Fine Arts, Inc.
ATTN: Jerome Sirois
1131 4th Street North
St. Petersburg, FL 33701

SUBJECT: DISCONTINUATION OF THE EVALUATION OF HESS FINE ARTS, INC.
AMENDMENT REQUEST FOR SEALED SOURCE AND DEVICE
REGISTRATION CERTIFICATE AND EXEMPT DISTRIBUTION LICENSE

Dear Mr. Sirois:

This letter is in regard to your letter dated November 12, 2015, requesting to amend Sealed Source and Device (SSD) Registration Certificate NR-1265-D-101-E and Exempt Distribution License (E-License) No. 09-23920-01E. After reviewing your application, the U.S. Nuclear Regulatory Commission (NRC) staff sent you a letter dated January 29, 2016, requesting additional information within 30 days. By e-mail dated February 29, 2016, you requested an extension to submit a response on or before March 31, 2016. The NRC staff granted an extension to submit a complete response for the information requested by March 16, 2016.

Due to the incomplete information, the NRC staff is unable to complete a safety evaluation of your SSD device and E-license amendment request. Since Hess Fine Arts, Inc. did not meet the NRC due date (March 16, 2016), the NRC staff has discontinued the evaluation of your amendment request (SSD Case 16-05 and E-License Mail Control No. 589411). This action is taken without prejudice to re-submission of your amendment request. Please note, when you decide to re-submit the amendment request, ensure that you submit a complete amendment request with the necessary information to allow NRC to evaluate the changes.

Please be aware that upon your request, proprietary information submitted to the NRC may be withheld from public disclosure. To do this, you must follow the procedures in Title 10 of the *Code of Federal Regulations* (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 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

J. Sirois

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If you have any questions, please contact me at 301-415-5637, or via e-mail at Hipolito.Gonzalez@nrc.gov.

Sincerely,

/RA/

Hipolito Gonzalez, Chief
Materials Safety Licensing Branch
Division of Material Safety, State, Tribal
and Rulemaking Programs
Office of Nuclear Material Safety
and Safeguards

Docket No. 030-36971
License No. 09-23920-01E
Certificate No. NR-1265-D-101-E

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-2-

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Sincerely,

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Materials Safety Licensing Branch
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Office of Nuclear Material Safety
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Docket No. 030-36971
License No. 09-23920-01E
Certificate No. NR-1265-D-101-E

DISTRIBUTION:

SSD_ELicense Resource
SSD Case 16-05

Certified Mail Tracking Number: 7015 1660 0001 1948 7826

ML16076A154

| OFC | NMSS/MSTR/MSLB | NMSS/MSTR/MSLB | NMSS/MSTR/MSLB | NMSS/MSTR/MSLB |
|-------------|-------------------|---------------------------|----------------|---------------------|
| NAME | Debra Miller | Hector Rodriguez-Luccioni | Tomas Herrera | Maria Arribas-Colon |
| DATE | 03/16 /2016 | 03/16/2016 | 03/17/2016 | 03/17/2016 |
| OFC | NMSS/MSTR/MSLB | | | |
| NAME | Hipolito Gonzalez | | | |
| DATE | 03/17/2016 | | | |

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