

**From:** [Reber, Eric](#)  
**To:** [Jason Webb](#)  
**Cc:** [Phil Howe](#); [Jacob Brown](#); [Rick Moore](#)  
**Subject:** RE: RE: Request for 2015 Report of Exempt Distribution; NorthPass, Ltd.. dba HIVIZ Shooting Systems; License No. 49-35121-01E  
**Date:** Wednesday, March 23, 2016 2:34:00 PM  
**Attachments:** [RIS 2014-10 Exempt Distribution.pdf](#)

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Dear Mr. Webb,

I've reviewed your exempt distribution report dated February 23, 2016 for the 2015 reporting period.

Your report indicates that your products were distributed for use under 10 CFR 32.19; this is incorrect. Please revise your report to indicate that your products were transferred for use under 10 CFR 30.19. Further information about the requirements that apply to annual reports of exempt distribution can be found in the attached Regulatory Issue Summary.

A hard copy of your revised report should be addressed and sent to:

ATTN: Document Control Desk/Exempt Distribution  
Director, Office of Nuclear Material Safety and Safeguards  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

In your email dated March 23, 2016 to which your report was attached, you indicated that you are not sure why the tracking information for your report indicated that it was sent to Maryland. For your information, while the NRC's official address is Washington, DC, our physical location is in Rockville, MD. Also, we have had some difficulty recently in receiving mail that is sent to our official address; therefore, I recommend that you also send a scan of your revised report to me via email.

Your report dated February 23, 2016 is labeled "Proprietary." To withhold proprietary information that is submitted to the NRC, you must follow the procedures in 10 CFR 2.390(b) including complying with the document marking and affidavit requirements set forth in 10 CFR 2.390 (b)(1). For your report dated February 23, 2016, you have not complied with these document marking and affidavit requirements.

If you have any questions, please feel free to contact me.

Regards,  
Eric

Eric H. Reber  
General Engineer/Project Manager  
Materials Safety Licensing Branch  
Division of Material Safety, State, Tribal, and Rulemaking Programs  
US Nuclear Regulatory Commission  
Washington, DC 20555-0001  
Tel: +1 (301) 415-5608  
Office: T-8i04

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**From:** Jason Webb [mailto:Jason@hivizsights.com]  
**Sent:** Wednesday, March 23, 2016 11:34 AM  
**To:** Reber, Eric <Eric.Reber@nrc.gov>  
**Cc:** Phil Howe <phil@hivizsights.com>; Jacob Brown <jacob@hivizsights.com>; Rick Moore <rick@hivizsights.com>  
**Subject:** [External\_Sender] RE: Request for 2015 Report of Exempt Distribution; NorthPass, Ltd.. dba HIVIZ Shooting Systems; License No. 49-35121-01E

Eric,

Attached is a copy of the report mailed on February 23, 2016, it also included a proprietary request. The report was sent as Certified Mail with the tracking number:

7015 1660 0000 3894 3052

through the U.S. Postal Service, [www.usps.com](http://www.usps.com) to track.

I looked up the number, and see the report is still in transit (copied below). I am not sure why it has gone to Maryland, attached is the receipt showing Washington, DC 20555 as its destination.

If you would like us to mail you another copy I would be happy to do so given the uncertainty of you receiving the report sent in February.

Thank you,  
Jason Webb

Tracking Number: 70151660000038943052

## in-transit

### Product & Tracking Information

#### Postal Product:

- First-Class Mail®

#### Features:

- Certified Mail™

| DATE & TIME   | STATUS OF ITEM         | LOCATION               |
|---|------------------------|------------------------|
| March 22, 2016 , 9:38 pm  | Departed USPS Facility | GAITHERSBURG, MD 20898 |
| Your item departed our USPS facility in GAITHERSBURG, MD 20898 on March 22, 2016 at 9:38 pm. The item is currently in transit to the destination. |                        |                        |

|                             |                                      |                           |
|-----------------------------|--------------------------------------|---------------------------|
| March 22, 2016 , 7:42 pm    | Arrived at USPS Destination Facility | GAITHERSBURG, MD 20898    |
| March 22, 2016 , 4:00 am    | Departed USPS Facility               | CAPITOL HEIGHTS, MD 20790 |
| March 21, 2016 , 1:35 pm    | Arrived at USPS Destination Facility | CAPITOL HEIGHTS, MD 20790 |
| March 8, 2016 , 10:52 am    | Forward Expired                      | WASHINGTON, DC 20022      |
| February 23, 2016 , 4:49 pm | Departed Post Office                 | LARAMIE, WY 82072         |
| February 23, 2016 , 3:12 pm | Acceptance                           | LARAMIE, WY 82072         |

**From:** Reber, Eric [<mailto:Eric.Reber@nrc.gov>]

**Sent:** Wednesday, March 23, 2016 7:10 AM

**To:** Phil Howe <[phil@hivizsights.com](mailto:phil@hivizsights.com)>

**Subject:** Request for 2015 Report of Exempt Distribution; NorthPass, Ltd.. dba HIVIZ Shooting Systems; License No. 49-35121-01E

Dear Mr. Howe,

All holders of exempt distribution materials licenses are required to submit annual reports of their distribution of exempt products by January 31 of each year for the preceding year. From a review of our records it appears that you have not submitted a report of the distribution of exempt products under License No. 49-35121-01E for 2015. If you have already submitted such a report or believe that you are not required to submit such a report, please inform me. If you have already submitted a report, please email me a copy of the report so that I can verify that it is in our system. Otherwise, you should submit your report without delay. Information concerning the requirements for such reports is provided below.

Your license authorizes the distribution of exempt products pursuant to 10 CFR 32.22. The record keeping and reporting requirements for such licenses are located in 10 CFR 32.25(c). The reporting requirements are detailed and prescriptive and should be followed fastidiously.

*32.25(c) [Licensees shall] Maintain records of all transfers and file a report with the Director of the Office of Nuclear Material Safety and Safeguards by an appropriate method listed in § 30.6(a) of this chapter, including in the address: ATTN: Document Control Desk/Exempt Distribution.*

*(1) The report must clearly identify the specific licensee submitting the report and include the license number of the specific licensee.*

*(2) The report must indicate that the products are transferred for use under § 30.19 of this chapter or equivalent regulations of an Agreement State.*

*(3) The report must include the following information on products transferred to other*

*persons for use under § 30.19 or equivalent regulations of an Agreement State:*

- (i) A description or identification of the type of each product and the model number(s);*
  - (ii) For each radionuclide in each type of product and each model number, the total quantity of the radionuclide;*
  - (iii) The number of units of each type of product transferred during the reporting period by model number.*
- (4)(i) The licensee shall file the report, covering the preceding calendar year, on or before January 31 of each year. In its first report after December 17, 2007, the licensee shall separately include data for transfers in prior years not previously reported to the Commission.*
- (ii) Licensees who permanently discontinue activities authorized by the license issued under § 32.22 shall file a report for the current calendar year within 30 days after ceasing distribution.*
- (5) If no transfers of byproduct material have been made under § 32.22 during the reporting period, the report must so indicate.*
- (6) The licensee shall maintain the record of a transfer for one year after the transfer is included in a report to the Commission.*

Further information about the requirements that apply to annual reports of exempt distribution can be found in the attached Regulatory Issue Summary.

A hard copy of your revised report should be addressed and sent to:

ATTN: Document Control Desk/Exempt Distribution  
Director, Office of Nuclear Material Safety and Safeguards  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

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 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).

If you have any questions, please feel free to contact me.

Regards,  
Eric

Eric H. Reber  
General Engineer/Project Manager  
Materials Safety Licensing Branch  
Division of Material Safety, State, Tribal, and Rulemaking Programs  
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Washington, DC 20555-0001  
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Office: T-8i04