



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

May 11, 2016

Dr. Horst Krupp,
Scientific Director
GMU Testing, Inc.
1554 Creek Street
San Marcos, CA 92069

**SUBJECT: GMU TESTING, INC., REQUEST FOR 2013, 2014 and 2015 EXEMPT
DISTRIBUTION ANNUAL TRANSFER REPORTS**

Dear Dr. Krupp:

After carefully reviewing our records, it appears that we do not have record of your exempt distribution transfer reports for the 2013, 2014, and 2015 reporting periods.

We note that in a letter dated August 4, 2014 (ML14212A686), the NRC requested your exempt distribution transfer reports for the reporting periods from 2009 through 2013. Also, the NRC sent you a letter dated September 15, 2015 (ML15258A009), to the address listed on your license, which requested that you send your exempt distribution transfer reports for the 2013 and 2014 reporting periods; however, this letter was returned to the NRC because it was not claimed at the U.S. Post Office. Furthermore, we note that as a result of an NRC inspection conducted on May 7, 2014, you received a NOTICE OF VIOLATION (ML14160A876) because you had failed to file the required reports for 2010 through 2013. To date, we have received your reports for the reporting periods of 2009 through 2012 (ML14259A372 and ML14281A022).

As you are authorized, under 10 CFR 32.11, to transfer certain products containing byproduct material to individuals exempt from regulatory requirements, you must abide by the reporting requirements for your license, which are listed in 10 CFR 32.12. These requirements include the provision that you submit an annual report to the NRC detailing transfers taking place during the previous calendar year.

Pursuant to 10 CFR 32.12, you must include the following information in your annual transfer reports:

- identification of the licensee, including the license number of the licensee;
- indication that the products are transferred for use under 10 CFR 30.14 or equivalent regulations of an Agreement State;
- the type and quantity of each product or material into which byproduct material has been introduced during the reporting period;

- the name(s) and address(es) of the individual(s) who owned or possessed the product(s) or material(s), into which byproduct material has been introduced, at the time of introduction
- the type and quantity of radionuclide introduced into each product or material; and
- the initial concentration of the radionuclide(s) in the product(s) or material(s) at time of transfer of the byproduct material by the licensee.

These reports do not need to list each individual transfer (e.g. by date or recipient) or each individual unit transferred (e.g. by serial number). Also, if no transfers take place during a given reporting period, you are still required to submit a report stating so explicitly.

Pursuant to the regulations, your annual transfer reports must be submitted by January 31 each year, covering transfers that took place during the preceding calendar year. You should submit reports by mailing them to the following address:

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

or by some other means listed in 10 CFR 30.6(a).

Your reports for the 2013, 2014, and 2015 reporting periods appear to be past due; therefore, you should submit these reports as soon as possible as we are considering enforcement action in your case.

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).

In accordance with 10 CFR 2.390, "Public inspections, exemptions, requests for withholding," a copy of this letter will be available electronically for public inspection in NRC's 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>.

H. Krupp

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If you have any questions, or if your understanding differs from the above, please contact me at (301) 415-5608, or by electronic mail at Eric.Reber@nrc.gov.

Sincerely,

/RA/

Eric H. Reber
Materials Safety Licensing Branch
Division of Material Safety, State, Tribal,
and Rulemaking Programs
Office of Nuclear Material Safety
and Safeguards

License No. 04-23964-01E
Docket No. 030-37770

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DISTRIBUTION:

MSTR r/f
RIV/DNMS

ADAMS Accession No: ML16132A478

OFC	NMSS/MSTR/MSLB	NMSS/MSTR/MSLB	NMSS/MSTR/MSLB
NAME	Eric Reber	Hipolito Gonzalez	Eric Reber
DATE	05/11/2016	05/11/2016	05/11/2016

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