

December 7, 2016

Mr. Phan Ly, Director
Global Import/Export Compliance
Newport Corporation
1791 Deere Avenue
Irvine, CA 92606

SUBJECT: NEWPORT CORPORATION, AMENDMENT OF EXEMPT DISTRIBUTION
LICENSE

Dear Mr. Ly:

In response to your letter dated November 9, 2016, enclosed is Amendment No. 02 to U.S. Nuclear Regulatory Commission (NRC) Exempt Distribution License No. 04-35246-01E, which approves the additional distribution location of your licensed activities. Please review the enclosed document carefully to ensure 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.

Be advised that you must distribute the products in accordance with the statements and representations contained in your applications, with enclosures thereto, and the information set out in your license. 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.

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 Title 10 of the *Code of Federal Regulations* (10 CFR) Part 40, "Domestic License of Source Material", and other applicable regulations.
2. Distribute only those products containing radioactive material which are specifically authorized in your license.
3. Notify the NRC in writing within 30 days of any change in mailing address.

4. In accordance with 10 CFR 40.44 and 46, file appropriate documentation with the NRC prior to any changes to your organization; change in 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 40.42, 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 the NRC. Failure to conduct your program in compliance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with the 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 License Fee and Accounts Receivable Branch at (301) 415-7554.

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>.

P. Ly

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If you have any questions, you may contact me at (301) 415-7640, or by e-mail at Shirley.Xu@nrc.gov.

Sincerely,

/RA/

Shirley S. Xu
Materials Safety License Branch
Division of Material Safety, States, Tribal
and Rulemaking Programs
Office of Nuclear Material Safety
and Safeguards

Docket No. 040-38388
Mail Control No. 592299

Enclosure:
License No. 04-35246-01E

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