



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
2443 WARRENVILLE RD. SUITE 210
LISLE, IL 60532-4352

FEB 21 2017

David Breuning
Radiation Safety Officer
ViewRay Incorporated
2 Thermo Fisher Way
Oakwood Village, OH 44146

Dear Mr. Breuning:

Enclosed is Amendment No. 4 terminating your NRC Materials License No. 34-35077-01 in accordance with your request dated December 14, 2016.

The NRC staff has reviewed your request and other pertinent information, and based on its review, the staff has concluded that no licensable radioactive material was possessed under this license. Therefore, there is no residual radioactive material attributable to licensed activities.

Based on these conclusions, NRC License No. 34-35077-01 is hereby terminated.

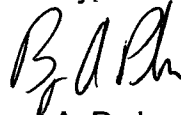
Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U. S. Nuclear Regulatory Commission, Region III office at (630) 829-9887 so that we can provide appropriate corrections and answers.

You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you. This could include issuance of a notice of violation, or imposition of a civil penalty, or an order suspending, modifying or revoking your license as specified in the General Statement of Policy and Procedure for NRC Enforcement Actions. Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken when dealing with licensees who do not achieve the necessary meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency's *expectations* for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html>. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

In accordance with Title 10 of the *Code of Federal Regulations* Section 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

A handwritten signature in black ink, appearing to read 'B. A. Parker', written over the typed name.

Bryan A. Parker
Senior Health Physicist
Materials Licensing Branch

License No. 34-35077-01
Docket No. 030-38654

Enclosure: Amendment No. 4 (Termination)