



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

July 3, 2019

ERA, A Water Company
ATTN: Chad Lane
Radiation Safety Officer
16341 Table Mountain Pkwy
Golden, CO 80403

SUBJECT: ERA, A WATER COMPANY, REQUEST FOR ADDITIONAL INFORMATION
FOR A NEW U.S. NUCLEAR REGULATORY COMMISSION EXEMPT
DISTRIBUTION LICENSE

Dear Mr. Lane:

This letter refers to your application dated May 31, 2019, Agencywide Documents Access and Management System (ADAMS) Accession No. ML19164A117, received by our office on June 11, 2019. In reviewing your application, we have determined additional information is required to complete our review. In order to continue our review, please address the issues listed below. This information is required by Title 10 of the *Code of Federal Regulations* (10 CFR) Section 32.18, "Manufacture, distribution and transfer of exempt quantities of byproduct material: Requirements for license."

1. Please explain your current distribution method. Do the customers who purchase your products listed in your application have a radioactive material possession license to possess such material?
2. Please submit a copy of your renewed license issued by the state of Colorado.
3. The name on your current Colorado license listed as "Environmental Resource Associates" and on your application Form 313, listed your company name as "ERA, A Water Company". The NRC license name must match your state license name. Please indicate how you will resolve this so that the NRC license matches your state license.
4. Alpha emitting byproduct materials are not allowed under section 10 CFR 30.18 of the regulations. With regard to the products listed in your application, PT Cat # 800, 801, 802, 803, 804, 805, 809, 811, are these mixtures of two or more radioactive materials? If so, those which contain alpha emitters could not be licensed for exempt distribution.

We will continue our review upon receipt of this information. If we do not receive a reply from you within 30 calendar days from the date of this letter, we will assume that you do not wish to pursue your application.

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 Paragraph 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 ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

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

Sincerely,

/RA/

Shirley S. Xu
Materials Safety and Tribal Liaison Branch
Division of Material Safety, Security, State
and Tribal Programs
Office of Nuclear Material Safety
and Safeguards

Docket No. 030-39180
Mail Control No. 612433

PUBLIC DOCUMENT

ERA, A WATER COMPANY, REQUEST FOR ADDITIONAL INFORMATION FOR A NEW U.S.
NUCLEAR REGULATORY COMMISSION EXEMPT DISTRIBUTION LICENSE

Date: July 3, 2019

ADAMS ACCESSION No.: ML19164A113 Pkg ML19184A128 Ltr

OFFICE	MSST/MSLB	MSST/MSLB	MSST/MSLB
NAME	Shirley Xu	T Brockington	SXu
DATE	07/03/2019	07/03/2019	07/03/2019

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