



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

August 22, 2019

Ms. Julie R. Witte
Kearfott Corporation
1225 McBride Avenue
Woodland Park, NJ 07424

SUBJECT: KEARFOTT CORPORATION, REQUEST FOR ADDITIONAL INFORMATION

Dear Ms. Witte:

This letter is in response to your application, U.S. Nuclear Regulatory Commission (NRC) Form 313, dated July 3, 2019, requesting an exempt distribution license.

We do not have sufficient information to complete the review of your application. In the enclosure to this letter you will find the list of the questions and items not addressed in your application. An application for an exempt distribution license should not contain information concerning the possession and use of radioactive material because that information is covered in a separate possession license (where required).

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 Title 10 of the *Code of Federal Regulations* (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).

We will continue our review upon receipt of this information. If we do not receive your reply within 30 calendar days from the date of this letter, we will consider your application as having been abandoned by you. This action would be without prejudice to the resubmission of another application with the required information.

Your application for a distribution license should not contain information concerning the possession and use of radioactive material because that is covered in a separate possession license.

Any correspondence regarding your amendment application should reference Mail Control Number 613315.

If you have any questions, please contact me at (301) 415-5477, or by e-mail at Richard.Struckmeyer@nrc.gov.

Sincerely,

/RA/

Richard K. Struckmeyer
Materials Safety and Tribal Liaison Branch
Division of Materials Safety, Security, State
and Tribal Programs
Office of Nuclear Material Safety
and Safeguards

Docket No. 040-38406

Enclosure:
Request for Additional Information

KEARFOTT CORPORATION, REQUEST FOR ADDITIONAL INFORMATION

Dated: August 22, 2019Certified Mailing No.: 7017 0190 0000 1642 8066**ADAMS Accession No.: ML19198A165 (pkg.)****ML19234A227 (Letter)**

OFC	NMSS/MSST/MSTB	NMSS/MSST/MSTB	NMSS/MSST/MSTB
NAME	Richard Struckmeyer	Tamyra Brockington	Richard Struckmeyer
DATE	08/22/2019	08/22/2019	08/22/2019

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KEARFOTT CORPORATION
APPLICATION DATED JULY 3, 2019
REQUEST FOR ADDITIONAL INFORMATION

The U.S. Nuclear Regulatory Commission (NRC) staff has reviewed the Kearfott Corporation application dated July 3, 2019, and has determined that additional information is needed. In order to continue with our review, please address the issues listed below.

The information related to review of your exempt distribution license application is required by Title 10 of the *Code of Federal Regulations*, (10 CFR) Part 40, Section 40.52. Please be advised that an application for an exempt distribution license should not contain information concerning the possession of radioactive material because that is covered in your separate possession license (where required).

Please provide the information required by each of the following regulations. If any of the required information was provided in your application, please indicate where it can be found.

1. 10 CFR 40.52(a) requires the applicant to satisfy the general requirements specified in § 40.32. To do so, please provide a copy of your possession license from the State of New Jersey.
2. As stated in the cover letter, 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). A "Checklist for Requests" is available in NUREG-1556, Volume 8, Rev. 1, Appendix H. Please provide a notarized copy of the request.
3. 10 CFR 40.52(b)(1) requires the applicant to submit detailed information regarding the maximum quantity of source material in each product. Your application stated the amount of thorium on Metal Foil A and Metal Foil B is approximately 0.02 grams and 0.04 grams, respectively. Please confirm that each end product contains just one foil.
4. 10 CFR 40.52(b)(4) requires labeling or marking each unit and/or its container with the identification of the initial transferor of the product and the source material in the product. Please describe how your labelling will identify initial transferor. A copy or copies of applicable label(s) would be helpful.
5. Please identify the location(s) from which distribution of your product will take place.
6. The following paragraph does not require a specific response; however, you should confirm that you understand the requirement contained in the cited regulation:

10 CFR 40.53(c)(1) requires each person licensed under Section 40.52 to maintain and report records of all transfers of byproduct material.

Enclosure