

**From:** Struckmeyer, Richard  
**Sent:** Friday, December 23, 2011 12:52 PM  
**To:** brian.langkan@systemsensor.com  
**Cc:** Jankovich, John  
**Subject:** License Renewal Application (NRC Exempt-Distribution Materials License 12-15023-02E)

Mr. Langkan:

Your license renewal application (NRC Exempt-Distribution Materials License 12-15023-02E), dated October 31, 2011, was assigned to me on November 22, 2011. Your application is deemed timely filed, and accordingly, the license will not expire until final action has been taken by this office.

I will very likely need to send a "Request for Additional Information" letter in the near future, but as I began my review I noted one possible inconsistency that should be resolved as soon as possible.

In your application you requested that the name on the license be amended to "**Honeywell International INC, System Sensor Division.**" We note that the Registry of Radioactive Sealed Sources and Devices contains a safety evaluation number NR-0547-D-101E that pertains to the products covered by this license.

The safety evaluation indicates that the name of one of the distributors is "System Sensor Corp., Division of Pittway," and that the name of one of the manufacturers is "System Sensor, Division of Pittway." The name listed on your application for license renewal is simply "System Sensor." The address in each case is the same: 3825 Ohio Avenue, St. Charles, Illinois 60174.

Please clarify which name is correct and how it should appear on your Sealed Sources and Device registration sheet, as well as on your exempt-distribution license. The registration sheet may also need to be amended. It would be unusual for the name on the registration sheet to differ from that on the exempt-distribution license; therefore we would likely need a justification if you wish to maintain the current names as they are now listed.

An application for amendment of your Sealed Sources and Device registration may be mailed to:

Office of Federal and State Materials  
and Environmental Management Programs  
Div. of Materials Safety and State Agreements  
US Nuclear Regulatory Commission  
Washington, DC 20555-0001

Attn: John Jankovich

The following describes an alternative approach to that described above. This approach involves the inactivation of your Sealed Sources and Device registration.

You may be aware that in 2007, NRC revised its regulations regarding distribution of smoke detectors. It appears that these changes would apply to the smoke detectors you are authorized to distribute under your license. Section E of the final rule published in the Federal Register on October 16, 2007 (72 FR 58473), specially addressed smoke detectors. The entire final rule is available on the Federal Register's web site at <http://edocket.access.gpo.gov/2007/pdf/E7-19944.pdf>.

Please note that the final rule addressed more than just smoke detectors. An Addendum and Interim Staff Guidance dated November 2007, regarding the regulatory changes that was prepared to support NUREG-1556, Volume 8, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Exempt Distribution Licenses," is available on NRC's web site at <http://www.nrc.gov/reading-rm/doc-collections/nureqs/staff/sr1556/v8/>.

The regulatory change provides a new licensing approach for smoke detectors containing no more than 1 microcurie of americium-241 in the form of a foil. As explained in the Federal Register Notice, smoke detectors which meet this criteria would no longer need to be licensed for distribution under 10 CFR 32.26, but instead could be authorized for distribution under 10 CFR 32.14. An important aspect of this change is that a sealed source and device evaluation would not need to be conducted as part of the licensing process.

As your current license authorizes distribution of smoke detectors pursuant to 10 CFR 32.26 that would appear to meet the requirements and be acceptable for distribution under 10 CFR 32.14, you may wish to amend your license to make this change. Because the products covered under your current license may be subject to regulatory requirements that would not be applicable under 10 CFR 32.14, or because your current license may subject you to commitments that would no longer be necessary, if you wish to change the distribution authorization, you must submit a complete up-to-date application, without reference to any previously submitted information, addressing the applicable regulatory criteria specified in 10 CFR 32.14 and 10 CFR 30.15. As previously mentioned, the SSD certificate associated with your device(s) would no longer be necessary. Therefore, you should also request that the certificate be inactivated with issuance of the amended license.

You can check this link for the regulatory requirement for devices under 10 CFR 32.14: <http://www.nrc.gov/reading-rm/doc-collections/cfr/part032/part032-0014.html>.

If you wish to pursue this alternative, your application for amendment of your Exempt-Distribution Materials License and inactivation of your Sealed Sources and Device registration may be mailed to:

Office of Federal and State Materials  
and Environmental Management Programs  
Div. of Materials Safety and State Agreements  
US Nuclear Regulatory Commission  
Washington, DC 20555-0001

Attn: Kevin O'Sullivan, Acting Chief, Licensing Branch

Let me know if you need additional clarification of the above.

Thank you,

Richard K. Struckmeyer  
Division of Materials Safety and State Agreements  
Office of Federal and State Materials  
and Environmental Management Programs  
U.S. Nuclear Regulatory Commission  
301-415-5477