



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

November 5, 2014

Shawn L. Foxworth  
Corporate Manager of EHS, Americas  
ESAB Welding & Cutting  
411 S. Ebenezer Road  
Kings Mountain, North Carolina 28086

SUBJECT: ESAB WELDING & CUTTING, NEW EXEMPT DISTRIBUTION LICENSE

Dear Mr. Foxworth:

Please find, enclosed to this letter, a new U.S. Nuclear Regulatory Commission (NRC) Exempt Distribution License No. 39-35180-01E. Please review the enclosed documents 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.

Please 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.

Please be advised that 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 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 NRC in writing within 30 days of any change in mailing address.
4. In accordance with 10 CFR 40.44 and 46, please file appropriate documentation with the NRC prior to any changes to your organization, change 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 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 registration, you may be subject to the NRC's licensing and inspection fees in accordance with 10 CFR Part 170, and 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) 415-7544.

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>.

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

Sincerely,

**/RA/**

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

Docket No. 040-38381  
Mail Control No. 584918

Enclosure:  
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Sincerely,  
*/RA/*  
 Shirley S. Xu  
 Material Safety Licensing Branch  
 Division of Materials Safety, States, Tribal,  
 and Rulemaking Programs  
 Office of Nuclear Material Safety  
 and Safeguards

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<b>NAME</b>	Shirley Xu		Hipolito Gonzalez		Shirley Xu
<b>DATE</b>	11/3/2014		11/3/2014		11/5/2014

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