

**From:** Thompson, Thomas  
**Sent:** Thursday, February 04, 2010 3:58 PM  
**To:** 'les.h.cleary@lmco.com'  
**Subject:** Additional Information needed to amend NRC license SUB-1502.

This is in reference to your letter dated January 5, 2010 requesting to amend Nuclear Regulatory Commission License No. SUB-1502. In order to continue our review, we need the following additional information:

1. It appears from your letter that a possible change of ownership (control) has occurred. Licensees must provide full information and obtain NRC's **prior written consent** before transferring control of the license. Control of a license is in the hands of the person or persons who are empowered to decide when and how that license will be used. That control is to be found in the person or persons who, because of ownership or authority explicitly delegated by the owners, possess the power to determine corporate policy and thus the direction of the activities under the license. A transferee is an entity that proposes to purchase or otherwise gain control of an NRC-licensed operation. A transferor is an NRC licensee selling or otherwise giving up control of a licensed operation. Provide the following information concerning changes of control by the applicant (transferor and/or transferee, as appropriate). If any items are not applicable, so state.
  - a. Provide a complete description of the transaction (transfer of stocks or assets, or merger).
  - b. Describe any other changes in personnel or duties that relate to the licensed program that you have not already specified in your January 5, 2010 letter. Include training and experience for any new personnel.
  - c. Describe any changes in the organization, location, facilities, equipment or procedures that relate to the licensed program.
  - d. Describe the status of the surveillance program (surveys, wipe tests, quality control) at the present time and the expected status at the time that control is to be transferred.
  - e. Confirm that all records concerning the safe and effective decommissioning of the facility will be transferred to the transferee or to NRC, as appropriate. These records include documentation of surveys of ambient radiation levels and fixed and/or removable contamination, including methods and sensitivity.
  - f. Confirm that the transferee will abide by all constraints, conditions, requirements and commitments of the transferor or that the transferee will submit a complete description of the proposed licensed program.
  - g. If your license requires financial assurance for decommissioning, you will need to address changes to financial assurance for name changes and/or change in ownership (control). If your company's name is changing and there is no change of ownership, you will need to amend your financial assurance instruments and supporting documents to address the change in name. If there has been a change of ownership (control), the transferee must submit new financial assurance in

accordance with Chapter 4 to Volume 3 of NUREG-1757, "Consolidated NMSS Decommissioning Guidance."

2. Although you have provided some information concerning disposition of your sealed sources you have not provided final disposition records for the sealed sources. Please provide additional disposition records for the Ni-63 and Americium 241 sealed sources. These records could be transfer documentation showing where the Ni-63 was transferred. For the Am-241 you should provide documentation to support that the material was received by the authorized licensee. You should also clarify how many of these devices you possessed.

We will continue our review upon receipt of this information. You may reply to my attention by fax to 610 337-5269 at the Region I Office and refer to Mail Control No. 144401. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5303.

Thank you.

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### E-mail Properties

Mail Envelope Properties (F6C63642BC5EFD4FB7DC9C2578893109128676BAEF)

Subject: Additional Information needed to amend NRC license SUB-1502.  
Sent Date: 2/4/2010 3:55:26 PM  
Received Date: 2/4/2010 3:57:00 PM  
From: Thompson, Thomas

Created By: Thomas.Thompson@nrc.gov

Recipients:  
les.h.cleary@lmco.com ('les.h.cleary@lmco.com')  
Tracking Status: None

Post Office:  
R1CLSTR01.nrc.gov

Files	Size	Date & Time
MESSAGE	11056	2/4/2010

Options  
Expiration Date:  
Priority: olImportanceNormal  
ReplyRequested: False  
Return Notification: False

Sensitivity: olNormal  
Recipients received: ZZZ