

Simmons, Michelle

From: Simmons, Michelle
Sent: Monday, March 21, 2011 4:00 PM
To: 'marie.benson@roxar.com'
Subject: Change of Control Form: NUREG 1556 Volume 15, Appendix F
Attachments: Change of Control Form.pdf

Docket Number: 03036402
License Number: 42-27765-01
Mail Control Number: 574498

Ms. Benson,

This is in reference to your letter dated February 1, 2011 requesting a name change to Nuclear Regulatory Commission License No. 42-27765-01. In order to continue our review, we need the following additional information. Please complete the attached form and submit it to the NRC by March 28, 2011. If you are unable to respond by this due date, please don't hesitate to contact me so we can discuss an extension to the date. Our fax number is (817) 860-8263. You may respond by email in pdf format if you'd like to michelle.simmons@nrc.gov. If you have any questions regarding this fax, please call me at 817-276-6590. When responding to this email, please include the license, docket and control numbers located at the top of this page.

Thanking you in advance for your cooperation, assistance, and prompt response in this matter

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Definitions: **Transferee:** A transferee is an entity that proposes to purchase or otherwise gain control of an NRC-licensed operation.

Transferor: A transferor is an NRC licensee selling or otherwise giving up control of a licensed operation.

Property is transferred from the transferor to the transferee

Change of Control and/or Change of Ownership
(includes Change of Name)

10 CFR 30.34(b) states that "no license issued or granted pursuant to the regulations...nor any right under a license shall be transferred, assigned or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of any license to any person, unless the Commission shall...find that the transfer is in accordance with the provisions of the Act and shall give its consent in writing. Although not specifically addressed by 10 CFR 30.34, licensees undergoing a name change may also be affected by this regulation.

Control over licensed activities can be construed as the authority to decide when and how a license (licensed material and/or activities) will be used. A change of ownership may be an example of a change of control. The central issue is whether the authority over the license has changed. In all cases, determining whether a change of control has taken place or whether a change is in name only is the Commission's responsibility.

Licensees must notify the Commission when they are undergoing a possible change of control and/or a change of name. While this notification is not required within a certain time frame, NRC needs adequate time to review the submittal to ensure that the transfer is in accordance

- Facility: Not applicable
4. Describe the status of the surveillance program (i.e., surveys, wipe tests, quality control) at the present time and the expected status at the time that control is to be transferred.

A. Description of the status of all surveillance program:

B. Surveillance Items & Records: calibrations, leak tests, surveys, inventories, and accountability requirements will be current at the time of transfer

Yes No (explain)

5. 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.

Records transferred to:

New licensee NRC for license termination Not applicable

6. 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.

_____ will abide by all constraints, conditions,
(transferee company)
requirements and commitments of _____
(transferor company)

Signature/Title
Transferee Official

Signature/Title
Transferor Official

date

date

OR

Description of proposed licensed program from transferee attached (with signature)

OR

Not applicable (name change only)

Certifying Officer - Signature

Date

Certifying Officer - Typed name and title