

Murnahan, Colleen

From: Holwell, Nelson [nholwell@wyref.com]
Sent: Monday, August 22, 2011 10:46 AM
To: Murnahan, Colleen
Cc: Neufeld, Warren (Bob); Runyan, James; Stanwood, Paula
Subject: RE: Change of Ownership - 49-27501-01
Attachments: Signed NRC Company Transfer Document (Name Change).pdf

Colleen, I have attached the signed Change of Control and/or Change of Ownership that is required for our resent sale. If this is everything you require for this transaction could you please respond to all attached so this portion of the sale paperwork can be taken off the list. If you need more information please let me know and we will get it supplied to you. Thanks

From: Murnahan, Colleen [mailto:Colleen.Murnahan@nrc.gov]
Sent: Wednesday, August 10, 2011 8:55 AM
To: Holwell, Nelson
Subject: Change of Ownership - 49-27501-01

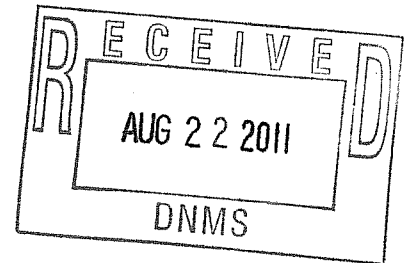
Please see attached per our discussion earlier this morning.

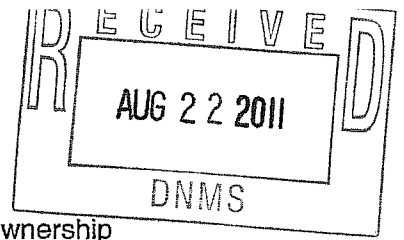
Thank you for your cooperation.

Colleen Murnahan, Licensing Assistant

Direct: 817-860-8103
Toll Free: 1-800-952-9677
Fax: 817-860-8263
E-mail: Colleen.Murnahan@nrc.gov

US Nuclear Regulatory Commission
612 E. Lamar Blvd., Suite 400
Arlington, TX 76011-4125





Information Required for Change of Control and/or Change of Ownership
(to include a name change)

Source: NUREG-1556, Volume 15

Please provide the following information concerning changes of control (transferor and/or transferee, as appropriate). If any items are not applicable, so state.

NOTE

1. Provide a complete description of the transaction (i.e., transfer of stocks or assets, or merger). Indicate whether the name has changed and include the new name. Include the name and telephone number of a licensee contact who NRC may contact if more information is needed.

A. Description of the transaction: Wyoming Refining Company name has changed from Hermes Consolidate Inc d/b/a Wyoming Refining Company to Hermes Consolidated, LLC d/b/a Wyoming Refining Company

B. No name change

New name of licensed organization: Hermes Consolidated, LLC d/b/a Wyoming Refining Company

C. No change in contact

New contact: _____

New telephone number: _____

2. Describe any changes in personnel or duties that relate to the licensed program. Include training and experience for new personnel.

A. No changes in personnel having control over licensed activities.

Changes is personnel having control over licensed activities (e.g. officers of a corporation): Anthony Lewis, CEO
Terry Perardi, CFO and Secretary
James Runyan, Chief Technology Officer

B. No changes in personnel named in the license.

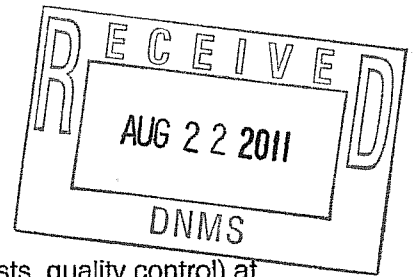
Changes in personnel named in the license (e.g. RSO, AUs) - include training, experience and responsibilities:

3. Describe, in detail, any changes in the organization, location, facilities, equipment or procedures that relate to the licensed program.

Organization: Name change as above. Con- Equipment:
version from corporation to

Location: limited liability company. Procedures:

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:

Everything is as it was in the past

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

[X] 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 [X] 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, requirements and commitments of _____

(transferee company)

(transferor company)

Signature/Title
Transferee Official

Signature/Title
Transferor Official

date

date

OR

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

OR

[X] Not applicable (name change only)

James Runyan
Certifying Officer - Signature

8/12/2011
Date

James Runyan - Chief Technology Officer
Certifying Officer - Typed name and title

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 with the regulations.

In order to process your request for a change of control/ownership and/or a name change, the information on the following pages is required. Our fax number is (817) 860-8263 or (817) 860-8188. If you have any questions regarding our discussion or this fax, please contact me. When responding to this fax, please include the license, docket, and mail control numbers, located at the top of this page as well as the following pages. Thank you.

Ma 575887

AUG 31 2011

DATE

This is to acknowledge the receipt of your letter/application dated 8/12/11, and to inform you that the initial processing, which includes an administrative review, has been performed.


- There were no administrative omissions. Your application will be assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information.
- Please provide to this office within 30 days of your receipt of this card:

The action you requested is normally processed within 90 days.

- A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned **Mail Control Number** 575887.
When calling to inquire about this action, please refer to this mail control number.
You may call me at 817-860-8103.

Sincerely,



Licensing Assistant

BETWEEN:

Accounts Receivable/Payable
and
Regional Licensing Branches

[FOR ARPB USE]
INFORMATION FROM LTS

Program Code: 03120
Status Code: Pending Amendment
Fee Category: 3P
Exp. Date:
Fee Comments:
Decom Fin Assur Reqd: N

License Fee Worksheet - License Fee Transmittal

A. REGION

1. APPLICATION ATTACHED

Applicant/Licensee: WYOMING REFINING COMPANY
Received Date: 08/22/2011
Docket Number: 3033664
Mail Control Number: 575887
License Number: 49-27501-01
Action Type: Amendment

2. FEE ATTACHED

Amount: _____

Check No.: _____

3. COMMENTS

Signed: Colleen Murnahan

Date: 8-29-2011

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered 1 1)

1. Fee Category and Amount: _____

2. Correct Fee Paid. Application may be processed for:

Amendment: _____

Renewal: _____

License: _____

3. OTHER _____

Signed: _____

Date: _____