

Sara A.B. Forster
MATERIALS LICENSING BRANCH



TELECON & FAX TRANSMITTAL

TO: Dale Piechocki

COMPANY: Underwriters Laboratories, Inc.

NUCLEAR REGULATORY COMMISSION
REGION III
2443 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351
(630) 829-9892 FAX: (630) 515-1078

PAGES: 3 TEL.: (574) 472-5523

FAX #: (574) 233-8207

EMAIL: N/A

CONVERSATION RECORD

	TIME	DATE
	1:00 pm	January 27, 2012
NAME OF PERSON(S) CONTACTED	TELEPHONE NO.	ORGANIZATION
Dale Piechocki, QA Officer	(574) 472-5523	Underwriters Laboratories, Inc.
REPRESENTED PERSON or PERSONS		ORGANIZATION
Raymond A. Siery, Radiation Safety Officer (RSO)		Underwriters Laboratories, Inc.
SUBJECT		
License No.: 13-32402-01	Control No.: 576541	

SUMMARY

We have reviewed your December 7, 2011 correspondence regarding organizational changes at Underwriters Laboratories, Inc. We find that we are unable to continue this action until we have received the following:

From the information provided in the December 7, 2011, letter, it is unclear whether the changes in the organization constitute a change in control. Please provide responses to the Information Needed for Transfer of Control Application (reference NUREG 1556, Volume 7, pages E-1 through E-2), as indicated on the attached sheets, in order to complete your notification.

RESPONSE: In the January 27, 2012 phone conversation, D. Piechocki indicated that he agreed to provide a letter, signed by management, containing responses to the attached items.

We have requested that you submit the referenced item:

- Information needed for Transfer of Control

- via facsimile, to (630) 515-1078. Please reference the Control No. 576541, as listed at the top of this memo. We expect to hear from you on or before February 6, 2012.

For future reference, please always include the name, phone number and fax number of at least one person whom we may contact for additional information when reviewing your licensing correspondence and requests.

Please submit the requested information within **10** days of this record. **Include reference control number 576541, Please FAX your response to my attention at (630) 515-1078.** You may also scan your response and send to me via email, as a pdf file.

Please direct any questions you have to me at **(630) 829-9892** or **sara.forster@nrc.gov**.

NAME OF PERSON DOCUMENTING CONVERSATION

Sara A.B. Forster

SIGNATURE

Sara A.B. Forster

DATE

01/27/2012

APPENDIX E

Information Needed for Transfer of Control Application

Licensees must provide full information and obtain NRC's *prior written consent* before transferring control of the license; some licensees refer to this as "transferring the license." 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.

- ① The new name of the licensed organization. If there is no change, the licensee should so state.
- ② The new licensee contact and telephone number(s) to facilitate communications.
(if applicable)
- ③ Any changes in personnel having control over licensed activities (e.g., officers of a corporation) and any changes in personnel named in the license such as radiation safety officer, authorized users, or any other persons identified in previous license applications as responsible for radiation safety or use of licensed material. The licensee should include information concerning the qualifications, training, and responsibilities of new individuals. *If there is no change, the licensee should so state.*
4. An indication of whether the transferor will remain in non-licensed business without the license.
- 5. A complete, clear description of the transaction, including any transfer of stocks or assets, mergers, etc., so that legal counsel is able, when necessary, to differentiate between name changes and transferring control.
(if additional information is available re the 12/7/11 letter)
- ⑥ A complete description of any planned changes in organization, location, facility, equipment, or procedures (i.e., changes in operating or emergency procedures). *If there is no change, the licensee should so state.*
- ⑦ A detailed description of any changes in the use, possession, location, or storage of the licensed materials.
(if applicable)
- ⑧ Any changes in organization, location, facilities, equipment, procedures, or personnel that would require a license amendment even without transferring control.
(if applicable)
9. An indication of whether all surveillance items and records (e.g., calibrations, leak tests, surveys, inventories, and accountability requirements) will be current at the time of transfer. Provide a description of the status of all surveillance requirements and records.
- 10. Confirmation that all records concerning the safe and effective decommissioning of the facility, pursuant to 10 CFR 30.35(g), 40.36(f), 70.25(g), and 72.30(d); public dose; and waste disposal by release to sewers, incineration, radioactive material spills, and on-site burials, have been transferred to the new licensee, if licensed activities will continue at the same location, or to NRC for license terminations.

APPENDIX E

11. A description of the status of the facility. Specifically, the presence or absence of contamination should be documented. If contamination is present, will decontamination occur before transfer? If not, does the successor company agree to assume full liability for the decontamination of the facility or site?
12. A description of any decontamination plans, including financial assurance arrangements of the transferee, as specified in 10 CFR 30.35, 40.36, and 70.25. Include information about how the transferee and transferor propose to divide the transferor's assets, and responsibility for any cleanup needed at the time of transfer.

→ 13. Confirmation that the transferee agrees to abide by all commitments and representations previously made to NRC by the transferor. These include, but are not limited to: maintaining decommissioning records required by 10 CFR 30.35(g); implementing decontamination activities and decommissioning of the site; and completing corrective actions for open inspection items and enforcement actions.

With regard to contamination of facilities and equipment, the transferee should confirm, in writing, that it accepts full liability for the site, and should provide evidence of adequate resources to fund decommissioning; or the transferor should provide a commitment to decontaminate the facility before transferring control.

With regard to open inspection items, etc., the transferee should confirm, in writing, that it accepts full responsibility for open inspection items and/or any resulting enforcement actions; or the transferee proposes alternative measures for meeting the requirements; or the transferor provides a commitment to close out all such actions with NRC before license transfer.

→ 14. Documentation that the transferor and transferee agree to transferring control of the licensed material and activity, and the conditions of transfer; and the transferee is made aware of all open inspection items and its responsibility for possible resulting enforcement actions.

→ 15. A commitment by the transferee to abide by all constraints, conditions, requirements, representations, and commitments identified in the existing license. If not, the transferee must provide a description of its program, to ensure compliance with the license and regulations.

Reference: See the Notice of Availability on the inside front cover of this report to obtain copies. Information Notice 89-25, Revision 1, "Unauthorized Transfer of Ownership or Control of Licensed Activities."

TRANSMISSION VERIFICATION REPORT

TIME : 01/27/2012 13:59
 NAME : USNRC RIII
 FAX : 6308299782
 TEL :
 SER.# : 000A7J925774

DATE, TIME	01/27 13:58
FAX NO./NAME	85742338207
DURATION	00:01:18
PAGE(S)	03
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MODE	STANDARD ECM

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