

SAFETY EVALUATION REPORT
PROPOSED TRANSFER OF CONTROL FOR BYPRODUCT MATERIALS NRC LICENSE
NUMBER 12-31469-01, URS ENERGY & CONSTRUCTION, INC.

DATE: April 29, 2015

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LICENSE NO.: 12-31469-01

CONTROL NO.: 584909

LICENSEE: URS Energy & Construction, Inc.
1437 South Bell School Road, Inc.
Rockford, IL 61108

TECHNICAL REVIEWER: Craig Gordon, Sr. Health Physicist, Region I

SUMMARY AND CONCLUSIONS

URS Energy & Construction, Inc. (URC E&C), is authorized by NRC License 12-31469-01 for the use of byproduct material in industrial radiography only at temporary job sites of the licensee anywhere in the United States where U.S. Nuclear Regulatory Commission (NRC) maintains jurisdiction for regulating the use of licensed material, including areas of exclusive Federal jurisdiction within agreement states.

By letters dated September 19, 2014 (ML14265A424),¹ and October 16, 2014 (ML14300A217), URS E&C submitted a request for NRC consent to an indirect license transfer resulting from consummation of a merger agreement with AECOM Technology Corporation (AECOM) in which URS will ultimately merge with and into ACM Mountain II, LLC, a direct wholly-owned subsidiary of AECOM. URS will survive the merger as a direct wholly-owned subsidiary of AECOM. Additional details of the merger are provided in the September 19, 2014, and October 16, 2014, letters and electronic mail dated November 26, 2014 (ML15013A051).

The request for consent was reviewed by NRC staff and is understood to be an indirect transfer in control of a 10 CFR Part 30 license using the guidance in NUREG-1556, Volume 15, "Consolidated Guidance about Materials Licenses Program-Specific Guidance about Changes of Control and About Bankruptcy Involving Byproduct, Source, or Special Nuclear Material Licenses," dated November 2000. The NRC staff finds that the information submitted by Gibson Dunn (on behalf of URS E&C) and URS E&C, sufficiently describes and documents the transaction and commitments made by URS, AECOM, and URS E&C, to support maintaining the license.

As required by 10 CFR 30.34 and section 184 of the Atomic Energy Act of 1954, as amended (the Act), NRC staff has reviewed the application and finds that the proposed transfer of control is in accordance with the Act. The staff finds that, after the transfer of control, URS E&C will remain qualified to use byproduct material for the purpose requested, and will continue to have the equipment, facilities, and procedures needed to protect public health and safety, and promote the common defense and security.

¹ ML numbers are accession numbers used in the NRC's Agencywide Documents Access and Management System (ADAMS). Accession numbers can be used to access publicly available documents online at <http://adams.nrc.gov/wba/>.

SAFETY AND SECURITY REVIEW

NRC License 12-31469-01 was renewed in its entirety on December 2, 2014, as amendment 01 (ML14346A517), which included a new Radiation Safety Officer. The NRC conducted a main office inspection (Rockford, IL) and field office inspection (Aiken, SC) of URS E&C on August 28, 2013, and September 25, 2013, respectively. The NRC did not identify any violations and there were no violations identified during the previous inspection.

Concerning NRC License 12-31469-01, the commitments made by AECOM , URS, and URS E&C, as provided in the September 19, 2014, and October 16, 2014, letters, state that none of the existing activities under the license will be affected under the proposed transaction including;

- A. there will not be a change in the radiation safety officer listed in the NRC license;
- B. there will not be a change in the personnel involved in licensed activities;
- C. there will not be a change in the locations, facilities, and equipment authorized in the NRC license;
- D. there will not be a change in the radiation safety program authorized in the NRC license;
- E. there will not be a change in the Licensee name; and,
- F. all required surveillance records and decommissioning records will be kept and maintained.

Based on the information in the preceding paragraphs and the guidance provided by the NRC's Office of Nuclear Material Safety and Safeguards (NMSS)², "Checklist to provide a basis for confidence that radioactive materials will be used as specified on the license," September 3, 2008 revision, for security purposes, URS E&C is considered a known entity. The purpose of this checklist is for the NRC to obtain reasonable assurance from new license applicants or NRC licensees transferring control of licensed activities that the licensed material will be used for its intended purpose and not for malevolent use.

Pursuant to 10 CFR 30.35, "Financial Assurance and Recordkeeping for Decommissioning", a decommissioning funding plan or financial assurances are not required for NRC License 12-31469-01 due to the types and quantities of licensed materials authorized for use and possession under the license.

² Previously the Office of Federal and State Materials and Environment Management Programs (FSME)

REGULATORY FRAMEWORK

URS E&C's NRC License 12-31469-01 was issued under 10 CFR Part 30, Rules of General Applicability to Domestic Licensing of Byproduct Material. The Commission is required by 10 CFR 30.34 to determine if the transfer of control is in accordance with the provisions of the Act and give its consent in writing.

10 CFR 30.34(b) states: "No license issued or granted pursuant to the regulations in this part and parts 31 through 36, and 39 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, after securing full information, find that the transfer is in accordance with the provisions of the Act and shall give its consent in writing."

As previously indicated, the staff evaluation is based on guidance in NUREG-1556, Volume 15. The central issue is whether the authority over the license has changed. URS E&C's request for consent describes an indirect transfer of control resulting from a merger agreement with AECOM, in which URS will ultimately merge with and into ACM Mountain II, LLC, a direct wholly-owned subsidiary of AECOM. URS will survive the merger as a direct wholly-owned subsidiary of AECOM. As such, the transfer requires NRC consent.

DESCRIPTION OF TRANSACTION

The transaction is described in detail in documents available on the NRC Agencywide Document and Access Management System (ADAMS) through accession numbers ML14265A424 and ML14300A217. After completion of the change in parent company, URS E&C will continue as the licensee and remain in control of all licensed activities under NRC License 12-31469-01. The NRC staff finds that the request for consent adequately provides a complete and clear description of the transaction, and is consistent with the guidance provided in Appendix F of NUREG-1556, Volume 15.

TRANSFeree'S COMMITMENT TO ABIDE BY THE TRANSFEROR'S COMMITMENTS

The NRC staff finds that the information submitted in documents by URS E&C (ADAMS accession numbers ML14265A424 and ML14300A217) sufficiently describes and documents the understandings and commitments made by URS E&C AECOM, the future parent company of URS E&C's parent company, URS, and is consistent with the guidance in NUREG-1556, Volume 15.

ENVIRONMENTAL REVIEW

An environmental assessment for this action is not required since this action is categorically excluded under 10 CFR 51.22(c)(14)(vi).

CONCLUSION

The staff has reviewed the request for consent submitted by the existing license holder (URS E&C) and the commitments of the future parent companies (AECOM Global II, LLC and AECOM, which will be the parent of AECOM Global II, LLC), with regard to an indirect transfer of control of byproduct materials under NRC License 12-31469-01 and approves the application pursuant to 10 CFR 30.34(b).

The submitted information sufficiently describes the transaction; documents the understanding of the license and commitments of the transferee; and demonstrates that personnel have the experience and training to properly implement and maintain the license, that they will maintain the existing records, and that will abide by all existing commitments to the license. This information is consistent with the guidance in NUREG-1556, Volume 15.

Therefore, the staff concludes that the proposed transfer of control would not alter the previous findings, made under 10 CFR Part 30, that licensed operations will not be inimical to the common defense and security, or to the health and safety of the public.