

Materials Safety Licensing Branch  
Division of Material Safety, State, Tribal and Rulemaking Programs  
Office of Nuclear Materials Safety and Safeguards  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

To whom it may concern:

This letter is intended to fulfill the requirements related to a potential change of control of a NRC license for byproduct material. Currently Halco Lighting Technologies holds license number 10-23990-01E for the distribution of lamps containing krypton-85 to persons exempt from licensing. Halco Lighting Technologies will be engaging in a transaction that constitutes a change of ownership, as well as may or may not be interpreted as a change of control. The sole result of the transaction will be a change in ownership interest and all business activities both related and unrelated to the nuclear materials license will continue unchanged. Additionally, control of all actions related to the license will remain with the same individuals responsible for them currently.

Halco is requesting the necessary prior written consent required by 10 CFR 30.34(b)(1) to move forward with this transaction. Given the nature of the transaction and the private equity process, as well as the fact that the final structure of the holding companies has only recently been defined, but not completely finalized, it was not possible to provide a longer period of notice. The proposed closing date for this transaction is November 20<sup>th</sup>, 2015, so any efforts to expedite the review of the application would be greatly appreciated. As the effects of the transaction will not interfere with the health and safety aspects of the licensed activities or affect the operations of Halco Lighting Technologies, LLC in a manner other than financial investment, I expect that there should be no challenges to this application and request for consent.

Pursuant to NUREG-1556, Vol. 15, each of the required pieces of information is provided below.

### 5.1 Description of Transaction

The transaction will consist of a transfer of equity interests in HLT Holdings, LLC, the parent company of Halco Lighting Technologies, LLC which owns 100% of the outstanding membership interests of Halco Lighting Technologies, LLC. In particular, there will be a transfer of equity from Lineage Capital, Allan Nelkin, Kim Cook, David Nelkin and Jay Weaver (who directly or indirectly own 100% of the outstanding

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membership interests of HLT Holdings, LLC prior to the transaction) to Halco Acquisition Corporation (an affiliate of Summer Street Capital Partners), Kim Cook, David Nelkin, Ed Weaver, Jay Weaver, Jon Davis and Suzanne Irvine (who will collectively own 100% of the outstanding membership interests of HLT Holdings, LLC following the transaction). The final structure of this transaction is not yet finalized, so some changes may occur; however, regardless of the structure of the holding companies involved, the net effect remains as a complete divestment for both Lineage Capital and Allan Nelkin, as well as investment by Ed Weaver, Jon Davis, Suzanne Irvine and Summer Street Capital Partners. Summer Street Capital Partners will have a controlling interest post transaction.

The Halco Lighting Technologies, LLC will continue to operate moving forward and will not change its name. As such, there will be no changes to the name of the licensee.

Contact information will remain unchanged and the contact person is as follows:

David Nelkin  
2940 Pacific Drive  
Norcross, GA 30071  
Office: 770-242-3609  
Fax: 770-242-3615  
Cell: 770-330-2216  
[dnelkin@halcolighting.com](mailto:dnelkin@halcolighting.com)

## 5.2 Changes of Personnel

There will be no changes in personnel.

## 5.3 Changes of Location, Equipment & Procedures

There will be no changes in the organization that exercises control over the licensed program. There will be no changes in the place of use, including potentially affected adjacent areas. There will be no changes in the facilities where licensed material is to be used or stored. There will be no changes in equipment to be used in the licensed program. There will be no procedural changes. As stated previously, there will be no changes in personnel.

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#### 5.4 Surveillance Records

All required surveillance has been performed, documented and reviewed.

#### 5.5 Decommissioning and Related Records Transfers

All records of the organization including both those related and unrelated to the license will be transferred to the transferee immediately upon completion of the transaction. The transferee will continue to maintain the records in the same manner as the transferor. There are no issues related to ambient radiation and contamination in the facility and there will not be any decontamination necessary prior to transfer.

#### 5.6 Transferee's Commitment to Abide by the Transferor's Commitments

The transferee agrees to abide by all constraints, license conditions, requirements, representations and commitments identified in and attributed to the existing license. Operations of the organization will remain identical and unchanged under the new ownership.

Attached are the additional relevant documents as required per the guidance. The application on NRC Form 313 is completed and attached. The license fee at this time has not been included with the application per 10 CFR 170.31. For the application requirements of items 5-11, as the information remains unchanged from our previous application, the prior application for this license has been included in its entirety to fulfill this requirement and ensure continued compliance with our current license requirements.

This letter is being written in my capacity as the current Vice President, Product and Supply Chain Operations for Halco Lighting Technologies, LLC and also the commitments made herein are made in this same role ongoing post transaction. If there are any questions or additional details required related to this request, please do not hesitate to contact me at 770-242-3609 or [dnelkin@halcolighting.com](mailto:dnelkin@halcolighting.com).

Regards,



David Nelkin  
Vice President, Product and Supply Chain Operations

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(10-2015)  
10 CFR 30, 32, 33, 34  
35, 36, 37, 39, and 40

Estimated burden per response to comply with this mandatory collection request: 4.3 hours. Submittal of the application is necessary to determine that the applicant is qualified and that adequate procedures exist to protect the public health and safety. Send comments regarding burden estimate to the FOIA, Privacy, and Information Collections Branch (T-5 F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by internet e-mail to Infocollects.Resource@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOF-10202, (3150-0120), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.



# APPLICATION FOR MATERIALS LICENSE

**INSTRUCTIONS: SEE THE APPROPRIATE LICENSE APPLICATION GUIDE FOR DETAILED INSTRUCTIONS FOR COMPLETING APPLICATION. SEND TWO COPIES OF THE ENTIRE COMPLETED APPLICATION TO THE NRC OFFICE SPECIFIED BELOW. \*AMENDMENTS/RENEWALS THAT INCREASE THE SCOPE OF THE EXISTING LICENSE TO A NEW OR HIGHER FEE CATEGORY WILL REQUIRE A FEE.**

APPLICATION FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH:

MATERIALS SAFETY LICENSING BRANCH  
DIVISION OF MATERIAL SAFETY, STATE, TRIBAL AND RULEMAKING PROGRAMS  
OFFICE OF NUCLEAR MATERIALS SAFETY AND SAFEGUARDS  
U.S. NUCLEAR REGULATORY COMMISSION  
WASHINGTON, DC 20555-0001

ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS:

IF YOU ARE LOCATED IN:

ALABAMA, CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, FLORIDA, GEORGIA, KENTUCKY, MAINE, MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, NORTH CAROLINA, PENNSYLVANIA, PUERTO RICO, RHODE ISLAND, SOUTH CAROLINA, TENNESSEE, VERMONT, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA,

SEND APPLICATIONS TO:

LICENSING ASSISTANCE TEAM  
DIVISION OF NUCLEAR MATERIALS SAFETY  
U.S. NUCLEAR REGULATORY COMMISSION, REGION I  
2100 RENAISSANCE BOULEVARD, SUITE 100  
KING OF PRUSSIA, PA 19406-2713

IF YOU ARE LOCATED IN:

ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN,  
SEND APPLICATIONS TO:

MATERIALS LICENSING BRANCH  
U.S. NUCLEAR REGULATORY COMMISSION, REGION III  
2443 WARRENVILLE ROAD, SUITE 210  
LISLE, IL 60532-4352

ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, HAWAII, IDAHO, KANSAS, LOUISIANA, MISSISSIPPI, MONTANA, NEBRASKA, NEVADA, NEW MEXICO, NORTH DAKOTA, OKLAHOMA, OREGON, PACIFIC TRUST TERRITORIES, SOUTH DAKOTA, TEXAS, UTAH, WASHINGTON, OR WYOMING,

SEND APPLICATIONS TO:

NUCLEAR MATERIALS LICENSING BRANCH  
U.S. NUCLEAR REGULATORY COMMISSION, REGION IV  
1600 E. LAMAR BOULEVARD  
ARLINGTON, TX 76011-4511

**PERSONS LOCATED IN AGREEMENT STATES SEND APPLICATIONS TO THE U.S. NUCLEAR REGULATORY COMMISSION ONLY IF THEY WISH TO POSSESS AND USE LICENSED MATERIAL IN STATES SUBJECT TO U.S. NUCLEAR REGULATORY COMMISSION JURISDICTIONS.**

1 THIS IS AN APPLICATION FOR (Check appropriate item)

A. NEW LICENSE

B. AMENDMENT TO LICENSE NUMBER 10-23990-01E

C. RENEWAL OF LICENSE NUMBER \_\_\_\_\_

2 NAME AND MAILING ADDRESS OF APPLICANT (Include ZIP code)

Halco Lighting Technologies, LLC  
2940 Pacific Drive  
Norcross, GA 30071

3 ADDRESS WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED

Address 1: 2940 Pacific Drive, Norcross, GA 30071

Address 2: 6323 Brookhill Drive, Houston, TX 77087

4 NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

David Nelkin

BUSINESS TELEPHONE NUMBER	BUSINESS CELLULAR TELEPHONE NUMBER
7702423609	7703302216

BUSINESS EMAIL ADDRESS

dnelkin@halcolighting.com

SUBMIT ITEMS 5 THROUGH 11 ON 8-1/2 X 11" PAPER. THE TYPE AND SCOPE OF INFORMATION TO BE PROVIDED IS DESCRIBED IN THE LICENSE APPLICATION GUIDE

5 RADIOACTIVE MATERIAL

a. Element and mass number, b. chemical and/or physical form; and c. maximum amount which will be possessed at any one time.

8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS.

10. RADIATION SAFETY PROGRAM.

6. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED.

7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING EXPERIENCE.

9. FACILITIES AND EQUIPMENT.

11. WASTE MANAGEMENT.

12 LICENSE FEES (Fees required only for new applications, with few exceptions\*)  
(See 10 CFR 170 and Section 170.31)

FEE CATEGORY	N/A	AMOUNT ENCLOSED \$	0
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13 CERTIFICATION (Must be completed by applicant) THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BINDING UPON THE APPLICANT.

THE APPLICANT AND ANY OFFICIAL EXECUTING THIS CERTIFICATION ON BEHALF OF THE APPLICANT, NAMED IN ITEM 2, CERTIFY THAT THIS APPLICATION IS PREPARED IN CONFORMITY WITH TITLE 10, CODE OF FEDERAL REGULATIONS, PARTS 30, 32, 33, 34, 35, 36, 37, 39, AND 40, AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF.

WARNING: 18 U.S.C. SECTION 1001 ACT OF JUNE 25, 1948 62 STAT. 749 MAKES IT A CRIMINAL OFFENSE TO MAKE A WILLFULLY FALSE STATEMENT OR REPRESENTATION TO ANY DEPARTMENT OR AGENCY OF THE UNITED STATES AS TO ANY MATTER WITHIN ITS JURISDICTION.

CERTIFYING OFFICER -- TYPED/PRINTED NAME AND TITLE	SIGNATURE	DATE
Kim Cook, President		11/12/15

FOR NRC USE ONLY					
TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
APPROVED BY			\$	DATE	