

January 21, 2016

Mr. Michael S. Anderson, President
Aerotest Operations, Inc.
3455 Fostoria Way
San Ramon, CA 94583

Dr. David M. Slaughter, Chief Executive Officer
Nuclear Labyrinth LLC
10874 South Bay Meadow Circle
Sandy, UT 84092

SUBJECT: AEROTEST OPERATIONS INC. AND NUCLEAR LABYRINTH LLC
REQUEST FOR ADDITIONAL INFORMATION RE: OPPORTUNITY TO
SUPPLEMENT 2012 LICENSE TRANSFER APPLICATION (TAC NO. MF7221)

Dear Mr. Anderson and Dr. Slaughter:

On December 23, 2015, the U.S. Nuclear Regulatory Commission (NRC) issued a Memorandum and Order (CLI-15-26) in response to a joint demand for a hearing on the denial of the 2012 application of Aerotest Operations, Inc. and Nuclear Labyrinth LLC (the Companies) for an indirect transfer of Facility Operating License No. R-98 for the 250-kW Aerotest Radiography and Research Reactor (ARRR) (Agencywide Documents Access Management System Accession No. ML15357A201). The Memorandum and Order remanded the license transfer application to the NRC staff, without prejudice, for further consideration and continues to hold the requests for hearings on the related license renewal application and enforcement order in abeyance until the license transfer matter is resolved.

On remand, the Commission directed the staff to: (1) consider the additional information submitted by the Companies at the hearing and (2) afford the Companies an opportunity to supplement the application and submit any additional relevant information within a time frame established by the staff.

In accordance with the Commission's order, the NRC staff is hereby providing an opportunity for the Companies to supplement the license transfer application and submit any additional relevant information within 60 days (i.e., by March 21, 2016). In this supplement, please affirm that the information previously submitted by the Companies in the application, responses to staff requests for additional information, and at the hearing is current and up-to-date. Please provide any additional relevant information for the staff's consideration (including, but not limited to, information regarding the current status of the damaged fuel elements at the ARRR and the method by which Nuclear Labyrinth LLC intends to meet the financial protection requirements of Title 10 of the *Code of Federal Regulations* Part 140 after the license transfer).

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The NRC staff will consider the additional information submitted by the Companies at the hearing and pursuant to this letter to determine whether that information demonstrates that the Companies meet the applicable regulations. As appropriate, the staff may request additional information on any part of the license transfer application and supplemental information provided by the Companies.

If you have any questions, please contact Edward Helvenston at 301-415-4067, or by e-mail at Edward.Helvenston@nrc.gov.

Sincerely,

/RA/

Alexander Adams Jr., Chief
Research and Test Reactors Licensing Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Docket No. 50-228

cc: See next page

Aerotest Operations, Inc.

Docket No. 50-228

cc:

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M. Anderson, D. Slaughter

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