



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

September 6, 2016

Mr. Joshua Barry
Engineering Manager & RSO
Venture Lighting International, Inc.
2451 E. Enterprise Parkway
Twinsburg, OH 44087

SUBJECT: REQUEST FOR ADDITIONAL INFORMATION

Dear Mr. Barry:

This letter refers to your application dated August 9, 2016, requesting amendment of U.S. Nuclear Regulatory Commission (NRC) Exempt-Distribution Materials License No. 34-26659-03E for the purpose of changing the name from Advanced Lighting Technologies to Venture Lighting International, Inc. (Agencywide Documents Access and Management System (ADAMS) No. ML16176A046). If our understanding of the new name is not as you intended, please state the name exactly as it should appear on your amended license.

We currently do not have sufficient information to continue our review of this request. Although the information provided indicates that only the name of the company has been changed, as opposed to a change of control, the license reviewer has a responsibility to determine the exact circumstances that led to the change. Please note that Title 10 of the *Code of Federal Regulations*, (10 CFR) Part 30, Section 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."

NUREG-1556, Volume 15, "Consolidated Guidance About Materials Licenses: Guidance About Changes of Control and About Bankruptcy Involving Byproduct, Source, or Special Nuclear Materials Licenses," contains guidance concerning changes of control. This document is available on the NRC's web site at: <http://www.nrc.gov/reading-rm/doc-collections/nureqs/staff/sr1556/v15/>

Specific information about changes of control is provided in Chapter 5 and Appendices C, D, and F. Please review this information to determine whether this request does or does not involve a change of control, and then respond accordingly. A copy of the guidance in Appendix F is provided as an enclosure to this letter.

Also, please provide a copy of your possession and use license from the State of Ohio, to indicate that the state has approved your possession and use of byproduct material.

J. Barry

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We will continue our review upon receipt of this information. If we do not receive your reply within 30 calendar days from the date of this letter, we will consider your application as having been abandoned by you. This action would be without prejudice to the resubmission of another application with the required information.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Any correspondence regarding this application should reference control number 591734.

If you have any questions please contact me at (301) 415-5477 or by e-mail at Richard.Struckmeyer@nrc.gov.

Sincerely,

/RA/

Richard K. Struckmeyer
Materials Safety Licensing Branch
Division of Material Safety, State, Tribal,
and Rulemaking Programs
Office of Nuclear Material Safety
and Safeguards

Docket No.: 030-38541

Enclosure:
Guidance for NUREG-1556

J. Barry

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Enclosure:
Guidance for NUREG-1556

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ML16231A366 (pkg.)

ML16246A271 (RAI)

	ML16231A366 (pkg.)		ML16246A271 (RAI)	
OFC	NMSS/MSTR/MSLB	NMSS/MSTR/MSLB	NMSS/MSTR/MSLB	NMSS/MSTR/MSLB
NAME	Richard Struckmeyer	Debra Miller	Hipolito Gonzalez	Richard Struckmeyer
DATE	09/6/2016	09/6/2016	09/6/2016	09/6/2016

OFFICIAL RECORD COPY

NUREG-1556 “Consolidated Guidance About Materials Licenses,” Vol. 15 “Program-Specific Guidance About Changes of Control and About Bankruptcy Involving Byproduct, Source., or Special Nuclear Material Licenses,” Appendix F “Information Needed for Transfer of Control”

Definitions:

Control: Control of a license is in the hands of the person or persons who are empowered to decide when and how that license will be used. That control is to be found in the person or persons who, because of ownership or authority explicitly delegated by the owners, possess the power to determine corporate policy and thus the direction of the activities under the license.

Transferee: A transferee is an entity that proposes to purchase or otherwise gain control of an NRC-licensed operation.

Transferor: A transferor is an NRC licensee selling or otherwise giving up control of a licensed operation.

Licensees must provide full information and obtain NRC's *prior written consent* before transferring control of 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. Provide a complete description of the transaction (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.
2. Describe any changes in personnel or duties that relate to the licensed program. Include training and experience for new personnel.
3. Describe any changes in the organization, location, facilities, equipment or procedures that relate to the licensed program.
4. Describe the status of the surveillance program (surveys, wipe tests, quality control) at the present time and the expected status at the time that control is to be transferred.
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.
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.

Enclosure