



January 18, 2017

United States Nuclear Regulatory Commission
Mr. Dennis Lawyer
Nuclear Materials Safety Region I
2100 Renaissance Boulevard
King of Prussia, PA 19406-2713
Office: (610) 337-5366

Dear Mr. Lawyer:

Mail Control Number: **592733**
License Number: **47-11451-01**
Docket Number: **030-06692**

Here is our information for transfer of control application:

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.

Information Needed for Transfer of Control

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. Describe any planned changes in the organization, including but not limited to, transfer of stocks or assets and mergers, change in members on Board of Directors, etc. Provide the new licensee name, mailing address, and contact information, including phone numbers. Clearly identify when the amendment request is due to a name change only.

REC'D IN LAT 01/23/2017

NMSS/RGNI MATERIALS-002

- a. Transferor: Essroc Cement Corporation
 - b. Transferee: Argos-US Corporation
1826 South Queen Street
Martinsburg, WV 25401
Radiation Safety Officer: Joshua C. Didion
Office Phone Number: 304-260-1813
Cell Phone Number: 610-657-2460
 - c. Transferee purchased the Martinsburg, WV facility on November 30, 2016
2. Describe any changes in personnel or duties that relate to the licensed program. Include training and experience for new personnel and any changes in the training program.
 - a. There are no changes in personnel or duties related to the licensed radiation program.
 3. Describe any changes in the location, facilities, equipment, radiation safety program, use, possession, waste management, or other procedures that relate to the licensed program.
 - a. There are no changes in location, facilities, equipment, radiation safety program, use, possession, waste management, or other procedures related to the licensed radiation program.
 4. Describe the status of the licensee's facilities, equipment, and radiation safety program, including any known contamination and whether decontamination will occur prior to transfer. Include the status of calibrations, leak tests, area surveys, wipe tests, training, quality control, and related records.
 - a. The status of the equipment remains unchanged. Surveys, calibrations, leak tests, training, quality control and related records are conducted based on the established program. There are no changes.
 5. If current decommissioning funding plans (DFP) will be changed as a result of the transfer, the revised DFP should be submitted. If other financial assurance documents will be changed as a result of the transfer, confirm that all financial assurance instruments associated with the license will be held in the transferee's name before the E-2 license is transferred, and as required by 10 CFR 30.35(f), the licensee must, within 30 days, submit financial instruments reflecting such changes.
 - a. There are no changes to the current decommissioning funding plans.
 6. 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.
 - a. All appropriate records and documents associated with the licensed radiation program will transfer from Transferor to Transferee.

7. Confirm that both transferor and transferee agree to transferring control of the licensed material and activity, and the conditions of transfer, and that the transferee has been made aware of any open inspection items and its responsibility for possible resulting enforcement actions.
 - a. Both the Transferor and Transferee agreed to a complete transfer of the control, documents, and management of the related licensed radiation program.

8. Confirm that the transferee will abide by all constraints, conditions, requirements, representations, and commitments of the transferor or that the transferee will submit a complete description of the proposed licensed program.
 - a. The Transferee abides by all the constraints, conditions, requirements, representations and commitments of the Transferor as initially created when the licensed radiation program was established.

9. The transferee, in the case of fuel cycle facilities, shall provide documentation showing that it is financially qualified to conduct normal operations. The information can be in the form of income statements and balance sheet forecasts.
 - a. Not applicable

Activity Level of Each Thermo Unit

As requested the Thermo Fisher Scientific Cross Belt Analyzer must define the amount of activity to be licensed for each unit. It should be as follows:

- 1) OMNI Thermo Cross Belt Analyzer – Quarry
 - a. 42 millicuries total and no single source to exceed the maximum activity specified in the certificate issued by the U.S. Nuclear Regulatory Commission or an Agreement State
- 2) CBX Thermo Cross Belt Analyzer – Raw Mill
 - a. 42 millicuries total and no single source to exceed the maximum activity specified in the certificate issued by the U.S. Nuclear Regulatory Commission or an Agreement State

Sincerely,



Joshua C. Didion
Radiation Safety Officer
Argos US, Martinsburg, WV



Heinz Knöpfel
Plant Manager
Argos US, Martinsburg, WV



Carol Lowry
VP Legal Counsel
Essroc Italcementi Group
3251 Bath Pike
Nazareth, PA 18064