

February 21, 2017

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE COMMISSION

In the Matter of)
)
AEROTEST OPERATIONS, INC.) Docket Nos. 50-228-LT
)
(Aerotest Radiography and Research Reactor))

NOTIFICATION OF SIGNIFICANT LICENSING ACTION

Consistent with the Commission's policy on notification of adjudicatory bodies and all parties of information on issues in cases before the Commission, counsel for the U.S. Nuclear Regulatory Commission (NRC) staff (Staff) hereby informs the Commission and the parties that, on or about February 28, 2017, the Staff proposes to issue an order and conforming license amendment to Aerotest Operations, Inc. (Aerotest) and Nuclear Labyrinth LLC (Nuclear Labyrinth) (collectively, the applicants) approving, subject to certain conditions, the indirect transfer of Facility Operating License No. R-98 for the Aerotest Radiography and Research Reactor (ARRR). This action is being taken in response to the applicants' application dated May 30, 2012,¹ as supplemented by letters dated July 19, 2012,² October 15, 2012,³

¹ Letter from the applicants to the NRC, Application for Approval of Indirect Transfer of Control of License Pursuant to 10 CFR 50.80 (May 30, 2012) (Agencywide Documents Access and Management System (ADAMS) Accession Nos. ML12152A233 and ML12180A384).

² Letter from the applicants to the NRC, Response to Request to Aerotest Operations, Inc. and Nuclear Labyrinth LLC to Supplement the License Transfer Application (TAC No. ME8811) (July 19, 2012) (ADAMS Accession No. ML122021201).

³ Letter from the applicants to the NRC, Response to Request for Additional Information Re: Application for Approval of Indirect Transfer of Control of License of Aerotest Radiography and Research Reactor Pursuant to 10 CFR 50.80 (TAC No. ME8811) (October 15, 2012) (ADAMS Accession No. ML12291A508).

January 10, 2013,⁴ April 21, 2016,⁵ June 16, 2016,⁶ August 22, 2016,⁷ and October 10, 2016,⁸ and by the September 5, 2014 certified hearing record.⁹

Aerotest is the holder of Facility Operating License No. R-98 for the ARRR, located in San Ramon, Contra Costa County, California. Currently, Aerotest is a wholly owned subsidiary of OEA Aerospace, Inc., a wholly owned subsidiary of OEA, Inc., which, in turn, is a wholly owned subsidiary of Autoliv ASP, Inc. (Autoliv), a wholly owned subsidiary of Autoliv, Inc. The issuance of the order and conforming license amendment would allow the indirect transfer of control of the license for the ARRR through the acquisition of Aerotest by Nuclear Labyrinth, such that the ultimate parent of Aerotest would become Nuclear Labyrinth instead of Autoliv, Inc.

As provided in Title 10 of the *Code of Federal Regulations* (10 CFR) 2.1315, "Generic determination regarding license amendments to reflect transfers," unless otherwise determined by the Commission with regard to a specific application, the Commission has determined that any amendment to the license of a utilization facility which does no more than conform the

⁴ Letter from the applicants to the NRC, Response to Request for Additional Information Re: Application for Approval of Indirect Transfer of Control of License of Aerotest Radiography and Research Reactor Pursuant to 10 CFR 50.80 (TAC No. ME8811) (January 10, 2013) (ADAMS Accession No. ML13015A395).

⁵ Letter from the applicants to the NRC, Response to Request for Additional Information Re: Opportunity to Supplement 2012 License Transfer Application (TAC No. MF7221) (April 21, 2016) (ADAMS Accession No. ML16117A259).

⁶ Letter from the applicants to the NRC, Response to Request for Additional Information Re: Opportunity to Supplement 2012 License Transfer Application (TAC No. MF7221) (redacted version dated June 16, 2016; original version dated May 27, 2016) (ADAMS Accession No. ML16176A221).

⁷ Letter from the applicants to the NRC, Response to Request for Additional Information Re: Opportunity to Supplement 2012 License Transfer Application (TAC No. MF7221) (August 22, 2016) (ADAMS Accession No. ML16245A230).

⁸ Letter from the applicants to the NRC, Response to Request for Additional Information Re: Opportunity to Supplement 2012 License Transfer Application (TAC No. MF7221) (October 10, 2016) (ADAMS Accession No. ML16294A250).

⁹ *Aerotest Operations, Inc.* (Aerotest Radiography and Research Reactor), LBP-14-10, 80 NRC 85 (2014) (ADAMS Accession No. ML14248A614).

license to reflect the transfer action involves no significant hazards consideration. No contrary determination has been made with respect to this specific license amendment application.

Final versions of the order and conforming license amendment will be available through the Nuclear Regulatory Commission's Agencywide Documents Access and Management System (ADAMS). When final versions of the documents are available, counsel for the NRC Staff will notify the parties and provide them with the ADAMS Accession Numbers for the documents.

Respectfully submitted,

/Signed (electronically) by/

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Dated at Rockville, Maryland
this 21st day of February, 2017

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CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R. § 2.305, I hereby certify that copies of the foregoing "NOTIFICATION OF SIGNIFICANT LICENSING ACTION," dated February 21, 2017, have been filed through the Electronic Information Exchange, the NRC's E-Filing System, in the above-captioned proceeding, this 21st day of February, 2017.

/Signed (electronically) by/

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Dated at Rockville, Maryland
this 21st day of February, 2017