



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
2443 WARRENVILLE RD. SUITE 210
LISLE, IL 60532-4352

Sharon L. Long
Radiation Safety Officer
National Physics Consultants
5589 Cardinal Dr.
Mentor, OH 44060

MAR 24 2017

SUBJECT: NRC CONSENT TO DIRECT LICENSE TRANSFER AND AMENDMENT NO. 03

Dear Ms. Long:

By letter dated December 15, 2016 (ML16362A444), David Close Consulting (DCC) and National Physics Consultants (NPC) submitted to the U.S. Nuclear Regulatory Commission (NRC) a Request for Consent to direct License Transfer of NRC Materials License No. 34-26653-02. Based on the information you have provided, we understand that as a result of a full asset purchase, control of the licensed operation from DCC would be directly transferred to NPC. We further understand that this transfer – other than the change in Radiation Safety Officer (RSO) to you – will not result in any change to the licensed materials, location of use of licensed material, or persons responsible for the licensee's radiation safety program. Based on information provided in that letter and by you, in a subsequent March 16, 2017 letter (ML17075A158), we understand that, on January 1, 2017, all of DCC's assets and operations were directly transferred to NPC, and resulted in a name change. We have updated the license accordingly.

Enclosed is Amendment No. 03 to your NRC Material License No. 34-26653-02 in accordance with your letters dated December 15, 2016 and March 16, 2017, notifying our office of the pending transaction, and confirming that the transaction has been completed as described in those letters. Please note that we have updated Condition Nos. 13 and 14 in accordance with current NRC policy. We have also deleted Condition No. 16 in accordance with current NRC policy to include the reference to Title 10 of the *Code of Federal Regulations*, Part 71, "Packaging and Transportation of Radioactive Material," in the preamble, on page 1 of the license. In accordance with your listed possession limits for Atomic Numbers 1-83, 88, and 91, we have added a license condition concerning financial assurance requirements. Finally, we have added NRC's Agencywide Documents Access and Management System (ADAMS) document accession numbers to the documents referenced in Condition No. 17 to the amended license.

Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region III office at (630) 829-9887 so that we may provide appropriate corrections and answers.

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency's *expectations* for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html>. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you. This could include issuance of a notice of violation, or imposition of a civil penalty, or an order suspending, modifying or revoking your license as specified in the General Statement of Policy and Procedure for NRC Enforcement Actions. Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken when dealing with licensees who do not achieve the necessary meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

Based on the above understandings and as more fully detailed in the enclosed NRC staff's Safety Evaluation Report which documents the NRC staff's review of the request, we have no objection to the proposed transfer. Please contact me at (630) 829-9892, or by e-mail at sara.forster@nrc.gov if you have any questions regarding this letter.

In accordance with Title 10 of the *Code of Federal Regulations* (CFR) Section 2.390, a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,



Sara A. Forster, M.S.
Health Physicist
Materials Licensing Branch

License No. 34-26653-02
Docket No. 030-35055

- Enclosures: 1. NRC Safety Evaluation Report (SER) concerning request for consent to Transfer of Control
2. Amendment No. 03