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**From:** Sturgeon, Rocky APG <Rocky.Sturgeon@fepoly.com>  
**Sent:** Thursday, March 29, 2018 2:18 PM  
**To:** Wardrobe, Leonardo  
**Cc:** Whitwer Scott FEP  
**Subject:** [External\_Sender] RE: Request for Additional Information, Change of Control, M&G Polymers USA, LLC - 602415  
**Attachments:** Certificate of Amendment-FE Polytech, LLC to APG Polytech, LLC.PDF; 4483\_001.pdf

I have attached a new PDF for the information of Transfer of Control. I have also attached a PDF of the Certificate of amendment to the name change. Let me know anything else I need to get to you.

Rocky Sturgeon  
APG Polytech  
Maintenance Manager  
Phone: 304-576-4664  
Mobile: 304-638-9339

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**From:** Wardrobe, Leonardo [mailto:Leonardo.Wardrobe@nrc.gov]  
**Sent:** Tuesday, March 27, 2018 2:23 PM  
**To:** rocky.sturgeon@mg-chemicals.com  
**Subject:** Request for Additional Information, Change of Control, M&G Polymers USA, LLC - 602415

M&G Polymers USA, LLC  
47-25227-01  
03033015  
47-25227-01

Mr. Sturgeon:

This refers to your request to transfer control of your license received February 12, 2018. In order to continue our review of your request, the following additional information is needed:

1. You stated in our telephone conversation on March 27, 2018, that the transferee has decide to change the company name from FE Polytech to APG Polytech. Please provide written documentation as to the new company name and any documents that can link the change in names.
2. In your initial request for transfer of control of your material license, you answered the nine items from Appendix E of NUREG-1556, Volume 15, Rev. 1, Consolidated Guidance About Materials Licenses, Guidance About Changes of Control and About Bankruptcy Involving Byproduct, Source, or Special Nuclear Materials Licenses without knowing who the transferee would be. Please provide, in writing from the transferee, the answer to the questions from Appendix E of NUREG-1556, Volume 15, Rev. 1, Consolidated Guidance About Materials Licenses, Guidance About Changes of Control and About Bankruptcy Involving Byproduct, Source, or Special Nuclear Materials Licenses. Here is the link to the that document:

NRC: Consolidated Guidance About Materials Licenses: Guidance About Changes of Control and About Bankruptcy Involving Byproduct, Source, or Special Nuclear Materials Licenses, Final Report (NUREG-1556, Volume 15, Revision 1)

Your reply must be an originally signed and dated letter. The letter may be scanned and submitted as a pdf document attached to an email; or it may be transmitted by facsimile to (610) 337-5269; or it may be sent by regular mail. If we do not receive a reply from you within 30 calendar days from the date of this e-mail, we will assume that you do not wish to pursue your amendment request.

*Leo Wardrobe*

Health Physicist  
Nuclear Regulatory Commission, Region I  
Division of Nuclear Materials Safety,  
Commercial, Industrial, R&D, and Academic Branch  
2100 Renaissance Boulevard, Suite 100  
King of Prussia, PA 19406-2713  
Office: 610-337-5171  
Fax: 610-337-5269

[leonardo.wardrobe@nrc.gov](mailto:leonardo.wardrobe@nrc.gov)

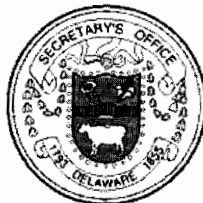
<http://www.nrc.gov/>

# Delaware

Page 1

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "FE POLYTECH, LLC", CHANGING ITS NAME FROM "FE POLYTECH, LLC" TO "APG POLYTECH, LLC", FILED IN THIS OFFICE ON THE TWENTY-THIRD DAY OF MARCH, A.D. 2018, AT 11:41 O`CLOCK A.M.



  
Jeffrey W. Bullock, Secretary of State

6749184 8100  
SR# 20182142597

Authentication: 202382118  
Date: 03-23-18

You may verify this certificate online at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)

**CERTIFICATE OF AMENDMENT  
OF  
CERTIFICATE OF FORMATION  
OF  
FE POLYTECH, LLC**

FE Polytech, LLC, a limited liability company organized and existing under the Limited Liability Company Act of the State of Delaware (the "Company"), hereby certifies as follows:

1. The name of the limited liability company is FE Polytech, LLC.
2. This Certificate of Amendment (the "Certificate of Amendment") amends the Company's Certificate of Formation filed with the Secretary of State of the State of Delaware on February 9, 2018 (the "Certificate of Formation") to change the name of the Company from FE Polytech, LLC to APG Polytech, LLC.
3. Section 1 of the Certificate of Formation is hereby amended and restated in its entirety as follows:

"1. Name. The name of the limited liability company is APG Polytech, LLC (the "Company")."

IN WITNESS WHEREOF, the undersigned has executed this Certificate of Amendment to the Certificate of Formation on this 23<sup>rd</sup> day of March, 2018.

FE POLYTECH, LLC

By:   
Name: Chin-Chih Fan  
Title: Authorized Person

# APG Polytech LLC

March 29, 2018

## INFORMATION FOR THE TRANSFER OF CONTROL:

NRC Region: 1

Contact: Leo Wardrobe

Telephone: 610/337-5171

The site for the transfer of control is:

FE Polytech  
27610 Huntington Road  
PO Box 8  
Apple Grove WV 25502

Material License number: 47-25227-01  
Expiration: June 30, 2023  
Docket No. 030-33015

RSO: Rocky Sturgeon Phone: 304/576-4664

M&G Polymers filed bankruptcy for this location on October 24, 2017. At that time we seized operations at this facility. We did a controlled shutdown. Once that was completed, it was decided that a core group of staff employees would remain on site for preservation. I (Rocky Sturgeon) was one of these employees. Once we seized operation, I physically turned all of our source holders to the "Off" position and they are still in that position. In January, 2018, I did a radiation survey of all the source holders in the "Off" position and recorded the results. No sources have been removed from their locations. I do have source holders in a storage location, sturand they have not been moved or relocated. They are still on plant site.

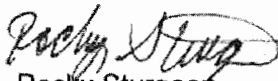
The new company is Far Eastern New Century (FENC) headquartered in Taiwan. This will be their first presence in the United States.

Our facility was working toward a license under the name of FE Polytech, LLC. The company since has now changed the name of this location to APG Polytech, LLC. The business is licensed in the State of Delaware.

P.O. Box 8, 27610 Huntington Road, Apple Grove WV 25502

# APG Polytech LLC

1. The new owners have assumed all assets at this location. The local contact person will be Rocky Sturgeon (RSO); telephone number 304/576-4664. The local organization will not change. The same management team will still be in place. I see this is as a name change. The facility will make the same product and the sources will be used for the same purpose.
2. The personnel and their duties will remain the same as before.
3. There will be no changes in the location, facilities, equipment and safety program. We will use the sources as we have always done in the past. The location of these sources will not and has not changed. We use these sources for continuous level indication and point level detection. No procedures will be changed.
4. The facility at this location produces PET resin. Most all of the sources are mounted to reactors, tanks and silos. All of these source holders are turned "off" and we are not producing any material. The plant is in an idle state. There will be no changes to the safety program. The current program has the shutter test performed every six months. This will continue under the new owners. The wipe test has been performed every three years per the manufacturer and this practice will continue under the new owners. All records are kept in the RSO's office and will continue to be kept there under the new owners.
5. We are not and will not be decommissioning this location. I cannot give you any of the financial documents for the new owners as of yet.
6. No decommissioning will be going on at this location.
7. Will supply you information after the closing.
8. Will supply you information after the closing.
9. This site is not a fuel cycle facility.



Rocky Sturgeon  
RSO  
304/576-4664



Richard Maack  
Site Manager  
304/576-4741

Attachment

P.O. Box 8, 27610 Huntington Road, Apple Grove WV 25502