



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION I  
2100 RENAISSANCE BLVD.  
KING OF PRUSSIA, PA 19406-2713

May 9, 2018

Richard G. Maack  
Manufacturing Site Manager  
APG Polytech, LLC  
PO Box 8  
27610 Huntington Road  
Apple Grove, West Virginia 25502

SUBJECT: APG POLYTECH, LLC, CONSENT TO TRANSFER LICENSE, MAIL CONTROL  
NO. 602415

Dear Mr. Maack:

By letter received February 12, 2018, Agencywide Documents Access and Management System (ADAMS) Accession No. ML18061A129, you requested U.S. Nuclear Regulatory Commission (NRC) approval of an anticipated direct transfer of control of M&G Polymers USA, LLC's NRC License, No. 47-25227-01 to APG Polytech, LLC, pursuant to an Asset Purchase Agreement dated January 30, 2018 (ML18079A262). You supplemented the request with information provided in the letter dated April 18, 2018 (ML18128A063). The Bill of Sale (ML18124A022), which you sent to the NRC on May 3, 2018, stated that the transfer of ownership occurred on March 1, 2018. Thus, this was effectively a post-hoc request for approval of the direct transfer of control of a NRC licensee. APG Polytech, LLC and M&G Polymers USA, LLC did not comply with NRC regulations as they did not receive the NRC's prior written approval for this transfer of control as required by 10 CFR 30.34(b) and Section 184 of the Atomic Energy Act of 1954, as amended.

From the above and subsequent correspondence, we understand that this transfer did not result in a change associated with the materials, persons using licensed material, or persons responsible for radiation safety at the licensed facility, the locations, facilities, and equipment, nor the radiation safety program. We also understand from the letters that the name of the licensee will be changed to APG Polytech, LLC.

Based on the above understandings, as more fully detailed in the enclosed NRC staff's Safety Evaluation Report, which documents the NRC staff's safety review of the request, the NRC consents to the transfer.

Amendment No. 12 authorizing a name change to APG Polytech, LLC will be mailed in a separate letter.

An environmental assessment for this action was not required, since this action is categorically excluded under 10 CFR 51.22(c)(21).

Please review the enclosed document carefully and be sure that you understand and fully implement all the conditions incorporated into the amended license. If there are any errors or questions, please contact me at 610-337-5171 or via electronic mail at [leonardo.wardrobe@nrc.gov](mailto:leonardo.wardrobe@nrc.gov) so that appropriate corrections or answers can be provided.

You will be periodically inspected by the 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(s) 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 NRC Enforcement Policy. The NRC Enforcement Policy is available at:  
<http://www.nrc.gov/reading-rm/doc-collections/enforcement/>.

An electronic version of the NRC's regulations is available on the NRC Web Site at: [www.nrc.gov](http://www.nrc.gov). Additional information regarding use of radioactive materials may be obtained on the NRC Web Site at: <http://www.nrc.gov/materials/miau/mat-toolkits.html>. This site also provides the link to the toolbox for updated information on the revised regulations for naturally-occurring and accelerator-produced radioactive materials (NARM).

Thank you for your cooperation.

Sincerely,

Leonardo F. Wardrobe, Health Physicist  
Commercial, Industrial, R&D  
and Academic Branch  
Division of Nuclear Materials Safety  
Region I

License No. 47-25227-01  
Docket No. 03033015  
Mail Control No. 602415

Enclosure:  
1) Safety Evaluation

cc: Rocky Sturgeon, Radiation Safety Officer

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Sincerely,

Leonardo F. Wardrobe, Health Physicist  
Commercial, Industrial, R&D  
and Academic Branch  
Division of Nuclear Materials Safety  
Region I

License No. 47-25227-01  
Docket No. 03033015  
Mail Control No. 602415

Enclosure:  
1) Safety Evaluation

cc: Rocky Sturgeon, Radiation Safety Officer

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SUNSI Review Complete: L Wardrobe

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