



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

March 14, 2019

Brian Boland, Vice President,
Government Affairs & Corporate Initiatives
ND Fairmont LLC
c/o ND Paper – Dayton Office
7777 Washington Village Drive, Suite 210
Dayton, Ohio 45459

**SUBJECT: ND FAIRMONT LLC, TRANSFER OF CONTROL AMENDMENT, MAIL
CONTROL NO. 610028**

Dear Mr. Boland:

By letter dated September 17, 2018, Fibrek Recycling U.S., Inc., and ND Fairmont LLC, requested written consent from the U.S. Nuclear Regulatory Commission (NRC) to a proposed direct transfer of control of radioactive material license number 47-25327-01 from Fibrek Recycling U.S., Inc. to ND Fairmont LLC. From that correspondence, we understand that the transfer will result in a change to the license name but not the location of use, materials, or persons using licensed material at the licensed facility.

Section 184 of the Atomic Energy Act of 1954, as amended (the Act), and its implementing regulation in 10 CFR 30.34(b), prohibit the transfer of control of any license unless the Commission finds that the transfer is in accordance with the provisions of the Act and shall give its consents to the transfer in writing.

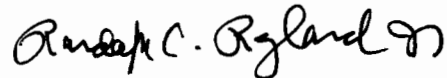
We noted that your parent company, ND Paper LLC, has another subsidiary known as ND Paper Inc., Biron Division who holds a State of Wisconsin radioactive material license, number 141-2060-01, Amendment 5, that authorizes the possession and use of radioactive fixed gauges at the Biron Mill, in Biron, WI, and that licensee is in good standing. We also noted that your proposed Radiation Safety Officer, Ms. Ericka Aversa, was previously listed as the Radiation Safety Officer on Fibrek's NRC License No. 47-25327-01. Based on Ms. Aversa's experience as the Fibrek Radiation Safety Officer and her 40 hour Radiation Safety Officer training certificate submitted to NRC by Fibrek letter dated November 3, 2016 (ML16330A628), Ms. Aversa meets NRC guidance presented in NUREG 1556, Vol. 4, Rev. 1, to be named as the Radiation Safety Officer on ND Fairmont LLC's NRC license.

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 does not object to the transfer of assets including transfer of control of NRC License No. 47-25327-01. With this information, we have issued an amendment to the NRC license to reflect the transaction. If you have any questions regarding this letter, please contact Randolph Ragland at 610-337-5083 or via electronic mail at Randolph.Ragland@nrc.gov.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," 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 document system (ADAMS). ADAMS is accessible from the NRC Web Site at: <http://www.nrc.gov/reading-rm/adams.html>

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Randolph C. Ragland".

Randolph Ragland, Senior Health Physicist
Commercial, Industrial, R&D
and Academic Branch
Division of Nuclear Materials Safety
Region I

License No. 47-25327-01
Docket No. 03033817
Mail Control No. 610028

Enclosures:

1. Safety Evaluation Report
2. Amendment No. 13

cc: E Aversa, Radiation Safety Officer
Pascale Lagace, Vice President,
FibreK Recycling, U.S., Inc.

B. Boland

ND FAIRMONT LLC, TRANSFER OF CONTROL AMENDMENT, MAIL CONTROL NO. 610028

~~March 13, 2019~~

MB dated March 14, 2019

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SUNSI Review Complete: R. Ragland

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NAME	R. Ragland <i>RR</i>	J. Ezell, NLO via email	
DATE	3/13/2019	3/12/2019	

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