



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

June 1, 2020

Mr. James Renner  
Manager of Environmental Stewardship  
Southern Ionics Minerals, LLC  
2649 Zero Bay Rd  
Patterson, GA 31557

SUBJECT: ORDER APPROVING INDIRECT TRANSFER OF CONTROL OF EXPORT  
LICENSE NO. XSOU8842

Dear Mr. Renner:

The U.S. Nuclear Regulatory Commission (NRC) has completed its review of your letter dated April 13, 2020, (Agencywide Documents Access and Management System [ADAMS] Accession No. ML20122A212) and application dated April 12, 2020 (ADAMS Accession No. ML20127H189) requesting approval of the indirect transfer of control of export license No. XSOU8842. The enclosed Order approves the indirect and direct transfers pursuant to Section 184 of the Atomic Energy Act of 1954, as amended (42 U.S.C. § 2234).

The Order has been forwarded to the Office of the Federal Register for publication. If you have any questions, please contact Andrea Jones at (404) 997-4443.

In accordance with the Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of the NRC's ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

/RA/

Nader L. Mamish, Director  
Office of International Programs

J. Renner

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SUBJECT: ORDER APPROVING INDIRECT TRANSFER OF CONTROL OF EXPORT  
LICENSE NO. XSOU8842. DATED: JUNE 1, 2020

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OIP r/f

**ADAMS Accession No.: ML20132A291 \*via email**

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| DATE   | 05/12/2020 | 05/12/2020  | 05/22/2020 | 05/28/2020 | 06/01/2020 |

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**NUCLEAR REGULATORY COMMISSION**

**In the Matter of** )  
 )  
**Southern Ionics Minerals LLC Inc.** ) **Docket No. 11006256**  
 )  
 )  
 ) **License No. XSOU8842**  
 )

**Order Approving Indirect Transfer of Control of Export License**

**I.**

On August 1, 2019, Southern Ionics Incorporated, a Mississippi corporation and parent company of Southern Ionics Minerals, LLC (SIMS), holder of U.S. Nuclear Regulatory Commission (NRC) export license (XSOU8842), sold 100% of its membership interest of SIMS to the Chemours Company FC, LLC, a wholly-owned subsidiary of the Chemours Company, a Delaware corporation, via a Membership Interest Purchase Agreement.

By letter dated March 12, 2020, (Agencywide Documents Access and Management System (ADAMS) Accession No. ML20127H189), SIMS submitted an application to amend export license XSOU8842, which authorizes SIMS to export rare earth mineral ores containing source material to China for non-nuclear end uses. SIMS sought an amendment to change the name on the license to “The Chemours Company FC, LLC,” and to delete inactive consignees from the license. By letter dated April 13, 2020 (ADAMS Accession No. ML20122A212), SIMS provided an updated license amendment application and supplemental information to the NRC regarding the August 2019 acquisition of SIMS by Chemours, including self-disclosure of a possible violation of 10 CFR § 110.50(d) for not seeking Commission approval prior to the August 2019 sale of SIMS.

The letter from SIMS dated April 13, 2020, requesting an amendment to export license XSOU8842, was made publicly available on the NRC's public Web site on May 1, 2020. No requests for a hearing or comments were received.

## II.

Pursuant to Section 184 of the AEA (42 U.S.C. § 2234), no license granted by the Commission shall be transferred, assigned, or in any manner disposed of, directly or indirectly, through transfer of control of any license to any person unless the Commission, after securing full information, finds that the transfer is in accordance with the provisions of the AEA, and gives its consent in writing. Pursuant to 10 CFR § 110.50(d), a specific export license may be transferred, disposed of, or assigned to another person only with the approval of the Commission by license amendment. And pursuant to 10 CFR § 110.51(a)(1), an application requesting amendment of an export license shall be filed on NRC Form 7, "*Application for NRC Export or Import License, Amendment, Renewal or Consent Request(s)*," in accordance with 10 CFR § 110.31 and § 110.32 and must specify the grounds for the requested amendment.

After review of the information in SIMS' license amendment request dated March 12, 2020, as supplemented by the updated application dated April 13, 2020, and further supplemental electronic communication dated April 14, 2020 (ADAMS Accession No. ML20127G787), the NRC staff has determined that the transfer of control is consistent with the applicable provisions of the AEA, regulations, and orders issued by the Commission. The NRC staff has further determined that the request for the proposed conforming license amendment complies with the standards and requirements of the AEA, and the NRC's regulations set forth in 10 CFR Part 110. The transfer of control of the license and issuance of the conforming license amendment will not be inimical to the common defense and security, or to the health and safety of the public, or the environment, and all applicable requirements have been satisfied.

### III.

Accordingly, pursuant to Section 184 of the AEA, 10 CFR § 110.50(d), and 10 CFR § 110.51(c), IT IS HEREBY ORDERED that SIMS' license amendment application, as described herein, be approved.

This Order is effective upon issuance. Issuance of this Order does not preclude or foreclose any future NRC enforcement action, if warranted, to address any previous violations of NRC requirements.

For further details with respect to this Order, see the application dated April 12, 2020, (which can be found ADAMS Accession No. ML20122A212 and SIMS' supplemental communications dated March 12, 2020 (ADAMS Accession No. ML20122A212), and SIMS' 2020 Winter Newsletter (ADAMS Accession No. ML20129H818), electronic communication dated March 25, 2020, (ML20127H446); and electronic communications dated April 14, 2020 and April 20, 2020 (ML20127G787). These documents are available for public inspection at the Commission Public Document Room (PDR), located at One White Flint North, Room O1-F21, 1155 Rockville Pike (first floor), Rockville, MD 20852, and available online in the ADAMS Public Documents collection at <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, or 301-415-4737 or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland this 1st day of June 2020.

FOR THE NUCLEAR REGULATORY COMMISSION.

*/RA/*

Nader L. Mamish, Director,  
Office of International Programs