



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
2443 WARRENVILLE RD. SUITE 210
LISLE, IL 60532-4352

June 4, 2020

Kevin P. Smith
Radiation Safety Officer
Dow AgroSciences d/b/a Corteva
Agriscience
9330 Zionsville Rd.
Indianapolis, IN 46268

SUBJECT: NRC CONSENT TO DIRECT CHANGE OF CONTROL AND AMENDMENT NO. 31
TO RADIOACTIVE MATERIALS LICENSE FOR DOW AGROSCIENCES D/B/A
CORTEVA AGRISCIENCE, NRC LICENSE NO. 13-26398-01

Dear Mr. Smith:

By letter dated December 19, 2019, Dow AgroSciences (you) submitted to the U.S. Nuclear Regulatory Commission (NRC) Region III Office a Request for Consent to an indirect License Change of Control of NRC Materials License No. 13-26398-01. Your letter is available electronically from NRC's Agencywide Documents Access and Management System (ADAMS), the NRC's electronic document system, at accession number ML19343A576. The NRC's ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Based on the information provided, we understand that as a result of a proposed re-structuring of the wholly-owned subsidiaries of DowDuPont, Inc., control of the activities currently authorized by your license would be directly transferred from Dow DuPont, Inc. to Dow Agrisciences, LLC, on April 1, 2019, and subsequently to Corteva Agriscience. We further understand that this transfer will not result in any change to the licensed materials, persons using the licensed material, location of use of licensed material, or persons responsible for the licensee's radiation safety program.

Based on the above understandings and as more fully detailed in the enclosed NRC staff's Safety Evaluation Report (SER) which documents the NRC staff's review of the request, we have no objection to the proposed transfer. Based on information provided in your initial letter and in your subsequent letter dated January 16, 2020, we understood that, on or about June 1, 2019, all of the licensee's assets had been transferred to Corteva Agriscience. The January 16, 2020 letter may be found in the NRC's ADAMS at accession number ML20021A071.

In addition to the SER, enclosed is Amendment No. 31 to your NRC Material License No. 13-26398-01 in accordance with your confirmation that the Transfer has been completed as described in the previous letters and your request to amend the license to reflect additional information associated with the recent renewal of your license.

Please review the enclosed documents carefully and be sure that you understand all conditions. If there are any errors or questions regarding any of the documents or this letter, please contact me at (630) 829-9892, or by e-mail at sara.forster@nrc.gov so that we may provide appropriate corrections and answers.

An environmental assessment for this action is not required, since this action is categorically excluded under Title 10 of the *Code of Federal Regulations* (CFR) Section 51.22(c).

The transferee Dow AgroSciences d/b/a Corteva Agriscience should note its responsibilities as an NRC licensee. Specifically, unless your license has been terminated, you must conduct your program involving radioactive materials in accordance with the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, you are responsible for any NRC inspection and enforcement issues, investigations, facility decontamination, and decommissioning funding resources. Finally, please be advised, under 10 CFR 30.34(b), control of an NRC license cannot be directly or indirectly transferred without prior written consent from the NRC.

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.

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.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice and Procedure," a copy of this letter and its enclosures will be available electronically for public inspection in the NRC Public Document Room or from NRC's ADAMS.

Sincerely,

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

Docket No. 030-32714
License No. 13-26398-01

Enclosures: 1. Safety Evaluation Report (SER) for Proposed Change of Control for NRC License No. 13-26398-01
2. Amendment No. 31 to NRC License No. 13-26398-01