

**SAFETY EVALUATION REPORT  
PROPOSED TRANSFER OF CONTROL FOR BYPRODUCT MATERIALS LICENSE  
NUMBER 29-30494-01, MASER CONSULTING, P.A.**

**DATE:** July 2, 2020

**DOCKET NO.:** 030-34918

**LICENSE NO.:** 29-30494-01

**LICENSEE:** Maser Consulting, P.A.  
331 Newman Springs Road  
Suite 203  
Red Bank, NJ 07701

**TECHNICAL REVIEWER:** Randolph C. Ragland, Jr.

**SUMMARY AND CONCLUSIONS**

Maser Consulting, P.A., is authorized by NRC Materials License No. 29-30494-01 for the possession and use of byproduct material in portable gauging devices for measuring physical properties of materials at its facility in Red Bank, NJ. The U.S. Nuclear Regulatory Commission (NRC) staff reviewed a request for consent to an indirect license transfer submitted by Maser Consulting, P.A., that will result from a transaction between Maser Consulting, P.A., and Colliers International Group, Inc. After the transaction, Maser Consulting, P.A., shareholders, who now own 100 percent of Maser Consulting, P.A., will own 35 percent of Maser Consulting, P.A. and Colliers International Group, Inc., will own 65 percent of Maser Consulting, P.A. Upon closing of the transaction, Maser Consulting, P.A., will convert into a New Jersey corporation and its legal name will change to Maser Consulting, Inc. The request for consent to the indirect transfer of control is available in Agencywide Documents Access and Management System (ADAMS) accession numbers ML20150A265 and ML20183A201

The licensee's request for consent to an indirect transfer of ownership was posted for public comment on the NRC website for 30 days in accordance with 10 CFR Part 2 and following the guidance provided in the NRC's Regulatory Issue Summary 2014-08, Rev. 1. No comments were received from members of the public.

The request for consent was reviewed by NRC staff for an indirect transfer in control of a 10 CFR Part 30 license using the guidance in 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," dated June 2016. The NRC staff finds that the information submitted by Maser Consulting, P.A., and Colliers International Group, Inc., sufficiently describes and documents the transaction and commitments made by both parties.

As required by 10 CFR 30.34 and section 184 of the Atomic Energy Act of 1954, as amended (the Act), NRC staff has reviewed the application and finds that the proposed transfer of control is in accordance with the Act. The staff finds that, after the transfer of control, Maser Consulting, Inc. will remain qualified to use byproduct material for the purpose requested, and will continue to have the equipment, facilities, and procedures needed to protect public health and safety, and to promote the security of licensed material.

## **SAFETY AND SECURITY REVIEW**

According to data obtained from ADAMS, Maser Consulting, P.A., has been an NRC licensee for more than 20 years. The NRC most conducted a main office inspection of Maser Consulting, P.A. on November 2, 2015, and no violations were identified during this inspection. In the licensee's request for NRC consent to the indirect transfer of control, statements made by the licensee confirm that the licensee:

- A. will not change the radiation safety officer listed in the NRC license;
- B. will not change the personnel involved in licensed activities;
- C. will not change the locations, facilities, and equipment authorized in the NRC license;
- D. will not change the radiation safety program authorized in the NRC license;
- E. will change the organization's name listed in the NRC license from Maser Consulting, P.A. to Maser Consulting, Inc.; and
- F. will keep regulatory required surveillance records and decommissioning records if applicable.

Colliers International Group, Inc., is headquartered in Toronto, Canada and is a multinational real estate development group, with 78 offices in the United States. NRC conducted a video pre-licensing visit with Colliers International Group, Inc., head of strategic investments, located in Toronto, Canada. The head of strategic investments affirmed Colliers International Group, Inc.'s, commitment to ensure that Maser Consulting, Inc., will continue to comply with NRC regulations and license conditions. NRC also conducted a video pre-licensing visit with the president and CEO of Maser Consulting, P.A. The president and CEO of Maser Consulting, P.A., asserted that Colliers International Group, Inc., and Maser Consulting, Inc., intend to continue to operate in a manner that will comply with NRC requirements and license conditions and will be protective of employees and the general public. Based on this review, for safety purposes, Colliers International Group, Inc., is considered a known entity following the guidance provided by the NRC's Office of Nuclear Material Safety and Safeguards' "Checklist To Provide a Basis for Confidence that Radioactive Materials Will Be Used as Specified on the License," January 29, 2019 revision. The purpose of this checklist is for the NRC to obtain reasonable assurance from new license applicants or NRC licensees transferring control of licensed activities that the licensed material will be used for its intended purpose and not for malevolent use.

Maser Consulting, P.A.. is not required to have decommissioning financial assurance based on the types and amount of material authorized in License No. 29-30494-01.

## **REGULATORY FRAMEWORK**

Maser Consulting, P.A., License No. 29-30494-01, was issued under 10 CFR Part 30, Rules of General Applicability to Domestic Licensing of Byproduct Material. The Commission is required

by 10 CFR 30.34 to determine if the transfer of control is in accordance with the provisions of the Act and give its consent in writing.

10 CFR 30.34(b) states: “No license issued or granted pursuant to the regulations in this part and parts 31 through 36, and 39 nor any right under a license shall be transferred, assigned or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of any license to any person, unless the Commission shall, after securing full information, find that the transfer is in accordance with the provisions of the Act and shall give its consent in writing.”

As previously indicated, the staff evaluation is based on guidance in NUREG-1556, Volume 15, Rev. 1. As discussed in NUREG-1556, Volume 15, Rev. 1, NRC is generally using the term “change of control” rather than the statutory term “transfer” to describe the variety of events that could require prior notification and written consent of the NRC. The central issue is whether the authority over the license has changed. Maser Consulting, P.A.’s, request for consent describes an indirect transfer of control and, as such, the transfer requires NRC consent.

## **DESCRIPTION OF TRANSACTION**

The indirect transfer of control is described in ADAMS accession number ML20150A265. After completion of the transaction, Maser Consulting, P.A.’s legal name will be changed to Maser Consulting, Inc. and it will continue as the licensee and remain in control of all licensed activities under Materials License No. 29-30494-01. The NRC staff finds that the request for consent adequately provides a complete and clear description of the transaction and is consistent with the guidance provided in Appendix E of NUREG-1556, Volume 15, Rev 1.

## **TRANSFeree’S COMMITMENT TO ABIDE BY THE TRANSFEROR’S COMMITMENTS**

The NRC staff finds that the information submitted by Maser Consulting, P.A., and Colliers International Group, Inc. sufficiently describes and documents the commitments made by Colliers International Group, Inc. and Maser Consulting, P.A., and is consistent with the guidance in NUREG-1556, Volume 15, Rev 1.

## **ENVIRONMENTAL REVIEW**

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

## **CONCLUSION**

The staff has reviewed the request for consent submitted by the licensee with regard to an indirect transfer of control of byproduct materials license No. 29-30494-01 and approves the application pursuant to 10 CFR 30.34(b).

The submitted information sufficiently describes the transaction; documents the understanding of the license and commitments; demonstrates that personnel have the experience and training to properly implement and maintain the license and that they will maintain the existing records; and, in the future, will abide by all existing commitments to the license, consistent with the guidance in NUREG-1556, Volume 15, Rev 1.

Therefore, the staff concludes that the proposed transfer in control would not alter the previous findings, made under 10 CFR Part 30, that licensed operations will not be inimical to the common defense and security, or constitute unreasonable risk to the health and safety of the public.