



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

August 25, 2021

Mr. Steven Read, Radiation Safety Officer
Teledyne FLIR Detection, Inc.
100 Midland Road
Oak Ridge, TN 37830

SUBJECT: FLIR DETECTION, INC., REQUEST FOR WRITTEN CONSENT TO INDIRECT
LICENSE TRANSFER AND NAME CHANGE AMENDMENT OF EXEMPT
DISTRIBUTION LICENSE 41-25639-01E

Dear Mr. Read:

By letter dated May 24, 2021 (Agencywide Documents Access and Management System (ADAMS) Accession Number ML21155A139), FLIR Detection, Inc. submitted to the U.S. Nuclear Regulatory Commission (NRC) a request for written consent to an indirect transfer of control of NRC Materials License number License No. 41-25639-01E. In accordance with Section 184 of the Atomic Energy Act of 1954, as amended (AEA), and Title 10 of the *Code of Federal Regulations* (10 CFR) 30.34, the NRC consents to the transfer. Enclosed is Amendment No. 8 to your U.S. Nuclear Regulatory Commission (NRC) Exempt Distribution License No. 42-25639-01E in accordance with your application dated May 24, 2021 and letter dated August 2, 2021. The license has been amended to document an indirect license transfer and name change, as requested.

FLIR Detection, Inc. is authorized by the NRC for the possession and use of byproduct material under Part 30. By letter dated May 24, 2021, FLIR Detection, Inc. requested written consent to the indirect transfer of control of its license from the NRC. Because the license was issued under 10 CFR Part 30, "Rules of General Applicability to Domestic Licensing of Byproduct Material," the NRC must find that the transfer is in accordance with the provisions of the AEA and, if so, must give its consent in writing prior to the transfer, in accordance with Section 184 of the AEA and 10 CFR 30.34(b). Additionally, the NRC staff reviewed the indirect transfer of control request using the guidance in NUREG-1556, Volume 15, Revision 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.

10 CFR 30.34(b) states:

- (1) No license issued or granted pursuant to the regulations in [parts 30] 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.

- (2) An application for transfer of license must include:
- (i) The identity, technical and financial qualifications of the proposed transferee; and
 - (ii) Financial assurance for decommissioning information required by [10 CFR] 30.35.

As described in ADAMS accession numbers ML21155A139 and ML21215A019, the indirect transfer of control will result from a merger of FLIR Detection Inc. into Firework Merger Sub II, LLC, a wholly owned subsidiary of Teledyne Technologies Incorporated. Concurrently with the merger, Firework Merger Sub II, LLC changed its name to Teledyne FLIR, LLC. New directors and officers were appointed to Teledyne FLIR, LLC. FLIR Detection, Inc. changed its name to Teledyne FLIR Detection, Inc. and is a subsidiary of FLIR Government Systems, Inc. which is a subsidiary of Teledyne FLIR, LLC, which is a subsidiary of Teledyne Technologies Incorporated. Pursuant to the management agreement, Teledyne FLIR, LLC will provide management services, including managing Teledyne FLIR Detection, Inc. day-to-day affairs, budgetary plans, operating plans, and policies and procedures. Because the transfer of control occurred on May 14, 2021 and the request is dated May 24, 2021, this request was for approval of an indirect license transfer, without receiving prior written consent from the Commission. The NRC staff finds that the licensee request adequately provides a complete and clear description of the proposed transaction, consistent with 10 CFR 30.34(b) and Chapter 5 and Appendix E of NUREG-1556, Vol. 15, Rev. 1. The sufficiency of the description is evaluated below.

The request for an indirect transfer of ownership was posted for public comment on the NRC Website for 30 days in accordance with 10 CFR Part 2, Subpart M and as described in NRC's Regulatory Issue Summary 2014-08, Revision 1. No comments were received from members of the public.

In the request for an indirect transfer of ownership, FLIR Detection, Inc. provided information regarding its current decommissioning funding plans. Based on the information provided, FLIR Detection, Inc. is not required to have financial assurance for decommissioning because of the types and amount of material authorized in its license. The NRC staff finds that the licensee's request adequately provided information consistent with 10 CFR 30.34(b) and Chapter 5 and Appendix E of NUREG-1556, Vol. 15, Rev. 1.

Further, the NRC conducted an inspection of FLIR Detection, Inc. on May 5, 2020 at Midland Road, Oak Ridge, Tennessee. The NRC identified no violations.

Additionally, as described in its request Teledyne FLIR, LLC commits that it:

- A. has not changed the radiation safety officer listed in the NRC license;
- B. has not changed the personnel involved in licensed activities;
- C. has not changed the locations, facilities, and equipment authorized in the NRC license;
- D. has not changed the radiation safety program authorized in the NRC license;

Based on these commitments, the NRC staff finds that the licensee request adequately documents the constraints, license conditions, requirements, representations, and commitments made by the transferee, consistent with 10 CFR 30.34(b) and Chapter 5 and Appendix E of NUREG-1556, Vol. 15, Rev. 1.

Teledyne Technologies is considered a known entity because Teledyne Technology subsidiaries possess state nuclear material licenses and registrations for activities involving government, defense, industrial, and commercial applications. For security purposes, Teledyne FLIR, LLC is considered a known entity because it possesses NRC and Agreement State licenses. Therefore, the NRC staff does not need to perform a pre-licensing visit to obtain reasonable assurance that the licensed material will be used for its intended purpose and not for malevolent use.

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

The staff has reviewed the request for an indirect transfer of control of License No. 41-25639-01E. The NRC staff finds that the indirect transfer of control is in accordance with Section 184 of the AEA and 10 CFR 30.34(b) and consents to the transfer.

Future changes in the licensee's name, licensed use, licensed materials, licensed location, persons responsible for licensed material, or other changes to the corporate organizational structure require submission of a request to amend the license or a request to transfer the license. NRC approval must be received prior to implementation of any such proposed change.

In accordance with 10 CFR 2.390, a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's ADAMS. ADAMS is accessible from the NRC Website at <https://www.nrc.gov/reading-rm/adams.html>.

If you have any questions regarding your Exempt Distribution License, you may contact me at (301) 415-3257, or by electronic mail at Michelle.Hammond@nrc.gov.

Sincerely,

Michelle M. Hammond, M.Sc., Health Physicist
Materials Safety and Tribal Liaison Branch
Division of Material Safety, Security, States,
and Tribal Program
Office of Nuclear Material Safety
and Safeguards

Docket No.: 030-36509
License No.: 41-25639-01E
Control No.: 626904

Enclosure:
License No. 41-25639-01E

SUBJECT: FLIR DETECTION, INC., REQUEST FOR WRITTEN CONSENT TO INDIRECT LICENSE TRANSFER AND NAME CHANGE AMENDMENT OF EXEMPT DISTRIBUTION LICENSE 41-25639-01E

DATED: AUGUST 25, 2021

ADAMS Accession Number: ML21155A127

OFFICE	MSST/MSTB	OGC	MSST/MSTB	MSST/MSTB	MSST/MSTB
NAME	MMH	TJones	MPringle	SXu	MMH
DATE	08/03/2021	NLO by email/ 8/11/2021	08/25/2021	08/25/2021	08/25/2021

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