

**From:** [Tran, Frank](#)  
**To:** ["k.j.deering@hscpoly.com"](mailto:k.j.deering@hscpoly.com)  
**Subject:** Request additional information for NRC License No. 21-32682-01  
**Date:** Wednesday, July 28, 2021 3:31:00 PM

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Dear Mr. Deering:

This refers to the license amendment application dated July 14, 2021 for Hemlock Semiconductor Operations, LLC ("the licensee"), NRC License No. 21-32682-01. We have reviewed the application in accordance with our regulations and NUREG-1556, Volume 4, Rev. 1, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Fixed Gauge Licenses", Volume 15, Rev. 1, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Changes of Control and About Bankruptcy Involving Byproduct, Source, or Special Nuclear Materials Licenses", and will need the following information.

1. The licensee requests to add the location of use located at 3901 South Saginaw Road, Midland, MI 48640. Based on the letter dated July 13, 2021 (ML21195A193) from The Dow Chemical Company (NRC License No. 21-00265-06), Dow Chemical sold three buildings with licensed materials to the licensee. Those are buildings 325, 354 and 309. Dow Chemical also states that it will continue conducting licensed activities in other areas at this address as authorized in its license. Please provide an area diagram for facilities located at the address 3901 S. Saginaw Rd., Midland, Michigan which shows Building 325, 354 and 309 and indicate those buildings in the diagram. In addition, please confirm that the licensee is aware of all radiation conditions in those buildings including the radioactive material have been used and residue from their usages and will be responsible for them.
2. The licensee notified a potential change of control and stated that the licensee believed the restructure of the parent companies does not constitute a change of control. The licensee provided that it previously a jointly owned company between Corning Inc., Dow Inc. and Shin-Etsu, is now owned solely by Corning Inc. (80.5%) and Shin-Etsu (19.5%) and that nothing has been changed in its program. Based on NUREG-1556, Volume 15, Revision 1, "Control over licensed activities" can be construed as the authority to decide when and how that license (licensed material or activities or both) will be used. A change of ownership may be an example of a change of control if authority over the license has transferred from one person (as defined by 10 CFR 30.4) to another. The transfer of stock or other assets is not necessarily a change of control. The central issue is whether the authority over the license has changed. Based on your provided information, it appears Corning Inc. (80.5%) is currently in control of the license because it owns 80.5% of the licensee and therefore it may have full authority over the license. Without additional information about the ownership of Corning Inc. in the licensee before and after the change, we could not determine if there has been a change of control or not. Please provide the percentage in the licensee which Corning Inc. owned before the change and a confirmation that Corning Inc. has full authority over the license before and after the change. If our statement was not true, please provide the correction and

your description.

3. The licensee requests to delete Item 6.E. (VEGA Americas, Inc. Model SHLD-1) from the license. Please provide a copy of the last leak test for the sealed sources in the devices and the receipt of the sources transferring.
4. For the fixed gauges (will be listed as Item 6.G. through 6.N. on the license per your proposal) which will be used at the new location, please identify the manufacturer and model number of sealed sources associated with each type of gauges.

To continue the review of your application, we request that you submit your response under a dated and signed cover letter within 30 days from the date of this email. In the cover letter, please refer the license number, docket number and Mail Control No. 627262. If you have questions, require additional time to respond, or require clarification on any of the information stated above, please contact me at 630-829-9623 or reply to this email.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this correspondence will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <https://www.nrc.gov/reading-rm/adams.html>.

Best regards,

*Frank Tran*

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