



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

June 11, 2021

Rachel Stieferman  
Radiation Safety Officer  
Capital Materials  
P.O. Box 104868  
Jefferson City, MO 65110

Dear Ms. Stieferman:

Enclosed is Amendment No. 11 to your NRC Material License No. 24-32390-01 in accordance with your requests.

In your letter dated February 24th, 2021, you requested to change the name of the company listed on your license due to a transfer of control. 10 CFR 30.34(b) requires, in part, that "No license issued or granted pursuant to the regulations, 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." Therefore, control of licenses cannot be transferred without the prior written consent of the Commission. Additional guidance on this process can be found in Section 5 of NUREG-1556 Vol. 15 rev.1, "Consolidated Guidance About Materials Licenses: Guidance About Changes of Control and About Bankruptcy Involving Byproduct, Source, or Special Nuclear Materials Licenses."

You will need to formally provide notification of a Change of Control which includes the following information (If any items are not applicable, so state):

1. Describe any planned changes in the organization, including but not limited to, transfer of stocks or assets and mergers, change in members on Board of Directors, etc. Provide the new licensee name, mailing address, and contact information, including phone numbers. Clearly identify when the amendment request is due to a name change only.
2. Describe any changes in personnel or duties that relate to the licensed program. Include training and experience for new personnel and any changes in the training program.
3. Describe any changes in the location, facilities, equipment, radiation safety program, use, possession, waste management, or other procedures that relate to the licensed program.

4. Describe the status of the licensee's facilities, equipment, and radiation safety program, including any known contamination and whether decontamination will occur prior to transfer. Include the status of calibrations, leak tests, area surveys, wipe tests, training, quality control, and related records.
5. If current decommissioning funding plans (DFP) will be changed as a result of the transfer, the revised **DFP** should be submitted. If other financial assurance documents will be changed as a result of the transfer, confirm that all financial assurance instruments associated with the license will be held in the transferee's name before the license is transferred, and as required by 10 CFR 30.35, the licensee must within 30 days, submit financial instruments reflecting such changes.
6. Confirm that all records concerning the safe and effective decommissioning of the facility will be transferred to the transferee or to NRC, as appropriate. These records include documentation of surveys of ambient radiation levels and fixed and/or removable contamination, including methods and sensitivity.
7. Confirm that both transferor and transferee agree to transferring control of the licensed material and activity, and the conditions of transfer, and that the transferee has been made aware of any open inspection items and its responsibility for possible resulting enforcement actions.
8. Confirm that the transferee will abide by all constraints, conditions, requirements, representations, and commitments of the transferor or that the transferee will submit a complete description of the proposed licensed program.
9. The transferee, in the case of fuel cycle facilities, shall provide documentation showing that it is financially qualified to conduct normal operations. The information can be in the form of income statements and balance sheet forecasts.

Please note that in accordance with 10 CFR 2.1301, "Public notice of receipt of a license transfer application," the NRC will notice the receipt of each application for direct or indirect transfer of a specific NRC license by placing a copy of the application on the NRC's Web site at [www.nrc.gov](http://www.nrc.gov).

In your letter dated May 24th, 2021, you requested to add an additional Radiation Safety Officer to your license. We did not take any action on this request as it is the current licensing policy that only the primary RSO is named on an NRC license. However, the primary RSO may delegate certain day-to-day tasks of the radiation protection program to other responsible individuals. For example, a licensee with multiple permanent locations of use or use at temporary jobsites may appoint "site RSOs," who assist the RSO and are responsible for the day-to-day activities at these locations. Such "site RSOs" do not need to meet all RSO qualifications; however, they should be qualified, experienced authorized users who have adequate knowledge of the activities to which they are assigned. The primary RSO named on the license maintains ultimate responsibility for implementation and oversight of the Radiation Safety Program.

R. Stieferman

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Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region III office at (630) 829-9887 so that we can provide appropriate corrections and answers.

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 Title 10 of the Code of Federal Regulations (CFR) 2.390 of the NRC's "Rules of Practice," a copy of this letter will be 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 <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

Erin J. Kennedy  
Health Physicist  
Materials Licensing Branch

License No. 24-32390-01  
Docket No. 030-35988

Enclosure: Amendment No. 11