



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION I
2100 RENAISSANCE BLVD.
KING OF PRUSSIA, PA 19406-2713

January 19, 2022

L. Joe Boyer, Chief Executive Officer
Atlas Technical Consultants, Inc.
13215 Bee Cave Parkway,
Building B, Suite 230
Austin, TX 78738

**SUBJECT: ATC ASSOCIATES, INC. AND ATC GROUP SERVICES LLC, ACCEPTANCE
OF NOTIFICATION OF CHANGE OF CONTROL, MAIL CONTROL NOS.
629416 AND 629417**

Dear Mr. Boyer:

By letter dated October 28, 2021 (Agencywide Documents Access and Management System (ADAMS) Accession Number ML21342A257), Atlas Technical Consultants, Inc. submitted to the U.S. Nuclear Regulatory Commission (NRC) a request for written consent to a direct transfer of control of NRC Materials License numbers 19-19822-01 for ATC Associates, Inc. and 29-30863-01 for ATC Group Services LLC. In accordance with Section 184 of the Atomic Energy Act of 1954, as amended (AEA), and 10 CFR 30.34, the NRC consents to the transfer.

Both ATC Associates, Inc. and ATC Group Services LLC are authorized by the NRC for the possession and use of byproduct material under Part 30. By letter dated October 28, 2021, ATC Technical Consultants, Inc. requested written consent to the direct transfer of control of the licenses from the NRC. Because the licenses were 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 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 package accession numbers ML21342A257 and ML21342A264, the direct transfer of control will result from an internal reorganization of Atlas Technical Consultants, Inc. Currently, both licensees and Atlas Technical Consultants LLC are wholly-owned subsidiaries of Atlas Technical Consultants, Inc. When the reorganization is completed, both licenses will be held by Atlas Technical Consultants LLC, and the licensee will request amendments to the license to change the name at that time. Atlas Technical Consultants will remain wholly owned and managed by Atlas Technical Consultants, Inc. 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 a direct 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 transfer of ownership, Atlas Technical Consultants, Inc, provided information regarding its current decommissioning funding plans. Based on the information provided, ATC Associates, Inc. and ATC Group Services LLC are not required to have financial assurance for decommissioning because of the types and amount of material authorized in the licenses. The NRC staff finds that the licensee's request adequately provided information for financial assurance for decommissioning, 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 ATC Associates, Inc. on August 28, 2018, in Rutland, Vermont and of ATC Group Services LLC on August 27, 2019 in Lakehurst, New Jersey. No violations were identified during either inspection.

Additionally, as described in its request, Atlas Technical Consultants, Inc. commits that it will continue to own and manage Atlas Technical Consultants, LLC, and it:

- A. will request an amendment to change the name on the licenses to Atlas Technical Consultants, LLC after the reorganization is completed;
- 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; and
- E. will keep regulatory required surveillance records and decommissioning records.

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.

Atlas Technical Consultants LLC currently holds multiple licenses in Agreement States, such as State of Tennessee License Nos. R-75045-F27 and R-79264-D29. These licenses authorize the same activities as NRC License Nos. 19-19822-01 and 29-30863-01. The NRC staff used 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 application,” 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. Therefore, consistent with that guidance, for security purposes, Atlas Technical Consultants, LLC is considered a known entity because it possesses similar licenses from an Agreement State.

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 a direct transfer of control of License Numbers 19-19822-01 for ATC Associates, Inc. and 29-30863-01 for ATC Group Services LLC. The NRC staff finds that the direct transfer of control is in accordance with Section 184 of the AEA and 10 CFR 30.34(b) and consents to the transfer. Please note that you will need to notify us promptly, in writing, after the transaction has been finalized and include a signed copy of the sales agreement confirming completion of the transaction. If this planned sale has not been consummated within 30 days of the date of this letter, please notify us in writing.

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 Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC website at <https://www.nrc.gov/reading-rm/adams.html>. If you have any questions regarding this letter, please contact me at (610) 337-5040 or by electronic mail to Elizabeth.Ullrich@nrc.gov.

Thank you for your cooperation in this matter.

Sincerely,

Betsy Ullrich, Senior Health Physicist
Commercial, Industrial, R&D
and Academic Branch
Division of Radiological Safety and Security
Region I

License Nos. 19-19822-01 and 29-30863-01
Docket Nos. 030-19282 and 030-36466
Mail Control Nos. 629416 and 629417

cc: Dennis Raver, General Manager and Radiation Safety Officer, ATC Associates, Inc.
John Devine, Vice-President, ATC Group Services, LLC
Robert S. Hawthorne, Jr., Radiation Safety Officer, ATC Group Services, LLC

ATC ASSOCIATES, INC. AND ATC GROUP SERVICES LLC, ACCEPTANCE OF NOTIFICATION OF CHANGE OF CONTROL, MAIL CONTROL NOS. 629416 AND 629417 DATED JANUARY 19, 2022

DOCUMENT NAME: \\nrc.gov\nrc\R1\Office\DNMS\WBL Documents\WBL License Cover Letter\L19-19822-01.29-30863-01.629416.629417.COC.docx

SUNSI Review Complete: Betsy Ullrich

After declaring this document "An Official Agency Record" it will be released to the Public.

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/ attach/encl "N" = No copy

OFFICE	RI:DRSS	N	RI:DRSS				
NAME	BKlukan		Betsy Ullrich				
DATE	1/10/22		1/19/22				

OFFICIAL RECORD COPY