

January 20, 2022 *Revised*

Robert J. Orlikowski, Chief  
Materials Licensing Branch  
United States Nuclear Regulatory Commission/ Region III  
2443 Warrenville Road Suite 210  
Lisle, Illinois 60532-4352

**RE: Modular Devices, Inc. NRC License #13-35634-01**  
**Licensee Name/Owner Change to Modular Devices Acquisition, LLC dba Modular Devices**

Dear Mr. Orlikowski:

Due to our recent name/owner change from **Modular Devices, Inc.** to **Modular Devices Acquisition, LLC dba Modular Devices**, we request a name/owner change to our NRC license #13-35634-01. Modular Devices, Inc. and Modular Devices Acquisition, LLC dba Modular Devices abbreviations are MDI and MD, respectively. The President of MDI, Greg S. Mink is also an owner of MD. O2 Investment Partners, LLC is the second owner of MD. **MD's new FID# is 87-3903311.** Mr. Mink is still President and now the CEO of MD and he is still in charge of the business. MD is not planning changes in personnel, licensed operations, or activities that would affect the license. MD commits to abide by the constraints, conditions, requirements, representations, and commitments identified in the existing license.

As listed in the NRC's Information Notice 89-25, Rev. 1, MD provides comments in **bold text** to the 14 below questions regarding license #13-35634-01:

1. New name of the licensed organization is **Modular Devices Acquisition, LLC dba Modular Devices.**
2. Licensee contact and telephone number(s). **MD's reply is there are no changes.**
3. Any changes in personnel having control over licensed activities: **MD's reply is there are no changes.**
4. Will the transferor remain in non-licensed business without the license? **MD's reply is no.**
5. A complete, clear description of the transaction, including any transfer of stocks or assets, mergers, etc., so that legal counsel is able, when necessary, to differentiate between name changes and changes of ownership. **MD's reply is the assets of Modular Devices, Inc were purchased and transferred to a new entity called Modular Devices Acquisition, LLC dba Modular Devices. The new entity is owned by O2 Investments, LLC and Black Bear Investment Holdings, Inc which are both privately owned companies. Modular Devices, Inc was renamed as Black Bear Investment Holdings, Inc. and remains 100% owned by Greg S. Mink.**
6. Planned changes in organization, location, facility, equipment, or procedures (i.e., changes in operating or emergency procedures): **MD's reply is there are no planned changes.**
7. A detailed description of any changes in the use, possession, location, or storage of the licensed materials: **MD's reply is there are no changes.**
8. Any changes in organization, location, facilities, equipment, procedures, or personnel that would require a license amendment even without the change of ownership: **MD's reply is there are no changes.**

9. An indication of whether all surveillance items and records (e.g., calibrations, leak tests, surveys, inventories, and accountability requirements) will be current at the time of transfer. A description of the status of all surveillance requirements and records should also be provided. **MD's reply is the records are current and complete.**

10. Confirmation that all records concerning the safe and effective decommissioning of the facility, pursuant to 10 CFR 30.35(g), 40.36(f), 70.25(g), and 72.30(d); public dose; and waste disposal by release to sewers, incineration, radioactive material spills, and on-site burials, have been transferred to the new licensee, if licensed activities will continue at the same location, or to the NRC for license terminations: **MD's reply is the records are present and accounted for and there is no change in the use location.**

11. A description of the status of the facility. Specifically, the presence or absence of contamination should be documented. If contamination is present, will decontamination occur before transfer? If not, does the successor company agree to assume full liability for the decontamination of the facility or site? **MD's reply is the current state of the facility is free of contamination. There are no changes in regular surveys and surveillance for contamination or source accounting.**

12. A description of any decontamination plans, including financial assurance arrangements of the transferee, as specified in 10 CFR 30.35, 40.36, and 70.25. This should include information about how the transferee and transferor propose to divide the transferor's assets, and responsibility for any cleanup needed at the time of transfer. **MD's reply is there are no changes in current decommissioning financial assurance arrangements.**

13. Confirmation that the transferee agrees to abide by all commitments and representations previously made to NRC by the transferor. These include but are not limited to: maintaining decommissioning records required by 10 CFR 30.35(g); implementing decontamination activities and decommissioning of the site; and completing corrective actions for open inspection items and enforcement actions. **MD's reply is we agree to abide by the commitments and representations made in license applications, amendment requests, and corrective actions. MD accepts liability for contamination of facilities and equipment. There are currently no open inspection items requiring action or close-out.**

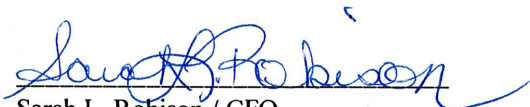
14. Documentation that the transferor and transferee agree to the change in ownership or control of the licensed material and activity, and the conditions of transfer; and the transferee is made aware of all open inspection items and its responsibility for possible resulting enforcement actions: **MD's reply is the license commitments are current and unchanged.**

If you have any questions, or need further information or documentation, please contact MD's Radiation Safety Officer, Thomas A. Schumacher, MS, CHP at (317) 902-9868 (mobile) or radphysics@msn.com. You can also contact the MD's Compliance Manager, Andy Trowbridge, at (317) 818-4480 (office) or andyt@modulardevices.com. Thank you for your assistance.

Sincerely,



Greg S. Mink, President/CEO  
Modular Devices Acquisition, LLC dba Modular Devices



Sarah L. Robison / CFO  
Modular Devices Acquisition, LLC dba Modular Devices

Copy: NRC's Laura Cender at laura.cender@nrc.gov  
MD's RSO Tom Schumacher at radphysics@msn.com

## Pavon, Martha

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**From:** Kennedy, Erin  
**Sent:** Tuesday, March 22, 2022 2:55 PM  
**To:** Pavon, Martha; Pavon, Sandy  
**Cc:** Tomczak, Tammy  
**Subject:** FW: 2nd signature required for Change of Control for NRC Lic. No. 13-35634-01  
**Attachments:** 2022 Jan 20revised 2signedNRC Changes toLicense #13-35634-01.pdf  
  
**Importance:** High

Good Afternoon,

Could you please put the attached document into ADAMS?

Modular Devices, Inc.  
13-35634-01  
030-39269  
629863

Thanks so much,

*Erin Kennedy*

U.S. Nuclear Regulatory Commission, Region III  
Health Physicist- Materials Licensing  
Email: [erin.kennedy@nrc.gov](mailto:erin.kennedy@nrc.gov)  
Office: 630-829-9876