



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV  
1600 E. LAMAR BLVD  
ARLINGTON TX 76011-4511

August 17, 2022

Mr. Scott V. Stoner  
Corporate EH&S Director  
Stanley Security Solutions/Oil & Gas  
8350 Sunlight Drive  
Fishers, IN 46037

SUBJECT: STANLEY INSPECTION US, LLC REQUEST FOR WRITTEN CONSENT TO AN  
INDIRECT LICENSE TRANSFER, NRC LICENSE NUMBER 35-35301-01

By letters dated July 5, 2022, and July 8, 2022 (Agencywide Documents Access and Management System (ADAMS) Accession Number ML22196A383), Stanley Inspection US, LLC (NRC licensee and transferor) submitted to the Nuclear Regulatory Commission (NRC) a request for written consent to a proposed indirect transfer of control of NRC license number 35-35301-01 to Pipeline Technique Limited (transferee). 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.

NRC license number 35-35301-01 authorizes the storage and use of byproduct material in accordance with 10 CFR Part 30. By letters dated July 5, 2022, and July 8, 2022, Stanley Inspection US, LLC, 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 required by 10 CFR 30.34 and section 184 of the Atomic Energy Act of 1954, as amended (the Act), NRC staff has reviewed the application and finds that the indirect transfer of control is in accordance with the Act. As described in ADAMS accession number ML22196A383, on June 24, 2022, Stanley Black & Decker, Inc., entered into an agreement to sell a group of its subsidiary companies including Stanley Inspection US, LLC, to Pipeline Technique Limited, which is owned by funds advised by Bluewater Energy LLP, a UK-based private equity firm, in an equity sale. The transaction involves an indirect, upstream change of equity interests only, and will not result in a change in the direct ownership or operation of the NRC licensee Stanley Inspection US, LLC. This transaction is expected to close in August 2022.

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, Volume 15, Rev. 1. The sufficiency of the description is evaluated below.

The request for an indirect transfer of control 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 reviewing the request for an indirect transfer of control, the NRC staff determined that Stanley Inspection US, LLC, is not required to have financial assurance for decommissioning based on the types and amounts of material authorized in NRC license number 35-35301-01. 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, Volume 15, Revision 1. Further, the NRC conducted an inspection of Stanley Inspection US, LLC, on July 26, 2021, and December 16, 2021, and one Severity Level IV violation was identified. The assessment conducted by NRC staff determined that the licensee's proposed corrective actions appear to adequately address the regulatory non-compliance and that implementation of the corrective actions will be verified during the next NRC inspection.

Additionally, as described in its request, the transferee:

- A. commits that it will not change the radiation safety officer listed in the NRC license;
- B. commits that it will not change the personnel involved in licensed activities;
- C. commits that it will not change the locations, facilities, and equipment authorized in the NRC license;
- D. commits that it will not change the radiation safety program authorized in the NRC license;
- E. commits that it will not change the organization's name listed in the NRC license; and
- F. commits that it will keep regulatory required surveillance records and decommissioning records.

Based on these commitments, the NRC staff finds that the licensee's 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, Volume 15, Rev. 1.

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, for security purposes, the licensee has provided sufficient information for the NRC to reach a basis for confidence that licensed material will be used as intended.

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 NRC license number 35-35301-01. 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.

Enclosed is amendment number 1 to NRC license number 35-35301-01 documenting the commitments made as a result of the transfer of control. 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>. You can contact me at 817-200-1189 if you have any questions regarding this letter.

Thank you for your cooperation.

Sincerely,

Roberto J. Torres, M.S., Senior Health Physicist  
Materials Licensing Branch

Docket: 030-38914  
License: 35-35301-01  
Control: 631855

Enclosure: As stated