



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

September 15, 2022

Benjamin Patz
Adanta, Inc.
2700 Napa Valley Corporate Drive
Suite J
Napa, CA 94558

SUBJECT: ADMINISTRATIVE CLOSURE DUE TO ABANDONMENT OF CHANGE OF OWNERSHIP APPLICATION DATED JULY 22, 2022 FOR ADANTA, INC., AND PROPOSED TERMINATION OF NRC LICENSE 04-35535-01

Dear Benjamin Patz:

We have received Adanta, Inc. (Adanta) change of ownership application on email dated July 22, 2022, for U.S. Nuclear Regulatory Commission (NRC) license number 04-35535-01. You have requested an amendment to the NRC license to authorize a management change and change of ownership of Adanta. Your application was docketed under the Agencywide Documents Access and Management System (ADAMS) at Accession No. ML22243A114. This letter is to inform you that the NRC is abandoning the review of your change of control request and plans to terminate NRC license number 04-35535-01.

During an announced NRC inspection performed on May 10, 2022, an NRC inspector identified that as of January 22, 2022, due to unfortunate and unavoidable circumstances the company was undergoing a change of ownership. The inspector informed you that a change of control (e.g., change of ownership) required prior approval by the Commission, in accordance with 10 CFR 30.34(b)(1). During the inspection, you were provided instructions on the appropriate method to notify the NRC of the change of address and change of control. Additionally, on May 16, 2022, the inspector sent you an email providing a link to 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."

On July 22, 2022, you submitted via email a blank NRC Form 313 as well as NRC Form 405F, which is not relevant to the requested action. The NRC was unable to begin a review because the application was lacking significant information. You were sent requests for additional information to continue the review of your change of ownership application. Specifically, we sent you written requests for additional information via email dated August 9, 2022 (ML22243A114), email dated August 24, 2022 (ML22243A122) and letter dated August 24, 2022 (ML22236A604). To date, you have not responded to these requests. Therefore, we have administratively closed your application due to your lack of response to our requests for additional information.

The NRC intends to proceed with terminating your license based on the following:

- A) Our current understanding obtained from discussions during the recent inspection is that Adanta has conducted no principal activities under its NRC license for a period in excess of 24 months. Title 10 CFR 30.36(d)(3) requires that you notify the NRC when this condition occurs and commence decommissioning. Note that NRC license number 04-35535-01 does not authorize possession of licensed material.
- B) Our current understanding is that the new owners of Adanta have no prior NRC or Agreement State license, and therefore do not meet NRC requirements for being recognized as a known entity and should be treated as a new organization. For changes of control of this type, the guidance in Appendix D of NUREG-1556, Volume 15, Revision 1, instructs the NRC staff to terminate the license and inform you that you may apply for a new license.

Therefore, the NRC will proceed to terminate NRC license number 04-35535-01. You will be contacted by Roberto Torres (817) 200-1189 of my staff to obtain information needed to ensure this license is properly terminated and it is safe to do so. If you wish to apply for a new NRC license you can submit NRC Form 313, "Application for Materials License", Appendix B of NUREG-1556, Volume 18, Revision 1, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Service Provider Licenses", and new license application fee using NRC Form 629, "Authorization for Payment by Credit Card" to R4LicensingActionSubmittals.Resource@nrc.gov.

NRC Form 313 and NRC Form 629 can be found in this link: <https://www.nrc.gov/reading-rm/doc-collections/forms/index.html>.

NUREG-1556, Volume 18, Revision 1, can be found in this link: <https://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/v18/index.html>.

If you believe the information described is incorrect, you may respond in writing within 30 days of the date on this letter by submitting a written statement or explanation, pursuant to 10 CFR 2.201, if the description therein does not accurately reflect your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to Administrative Closure Due to Abandonment of Change of Ownership Applied Dated July 22, 2022 for Adanta, Inc., and Proposed Termination of NRC License 04-35535-01" and send it to the U.S. Nuclear Regulatory Commission, Region IV, ATTN: Director, Division of Radiological Safety and Security, 1600 E. Lamar Blvd., Arlington, Texas 76011-4511, and email it to R4LicensingActionSubmittals.Resource@nrc.gov within 30 days of the date of this letter.

B. Patz

3

In accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390 of NRC's "Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from ADAMS, accessible from the NRC Web site at <https://www.nrc.gov/reading-rm/adams.html>.

Thank you for your cooperation.

Sincerely,



Signed by O'Keefe, Cornelius
on 09/15/22

Neil F. O'Keefe, Chief
Materials Licensing Branch

Docket No. 030-39161
License No. 04-35535-01
Control No. 632306

Cc: See next page

B. Patz

4

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cc:

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DOCUMENT: ADMINISTRATIVE CLOSURE DUE TO ABANDONMENT OF CHANGE OF OWNERSHIP APPLICATION DATED JULY 22, 2022 FOR ADANTA, INC., AND PROPOSED TERMINATION OF NRC LICENSE 04-35535-01

ADAMS ACCESSION NUMBER: **ML22252A119**

SUNSI Review: ADAMS: Non-Publicly Available and Sensitive
By: NFO Yes No Publicly Available and non-sensitive

OFFICE	HP:MLB	RC: ORA	C:MLB		
NAME	RTorres	DCylkowski	NO'Keefe		
SIGNATURE	/RA/	/RA/	/RA/		
DATE	9/9/2022	9/14/2022	9/15/2022		

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