



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001**

October 1, 2024

Miodrag Cekic, RSO  
Heraeus Noblelight America, LLC  
910 Clopper Road  
Gaithersburg, MD 20878

**SUBJECT: HERAEUS NOBLELIGHT AMERICA, LLC REQUEST FOR WRITTEN  
CONSENT TO INDIRECT LICENSE TRANSFER**

By letter dated May 14, 2024 (Agencywide Documents Access and Management System (ADAMS) Accession Number ML24138A041), Heraeus Noblelight America, LLC submitted to the U.S. Nuclear Regulatory Commission (NRC) a request for written consent to an indirect transfer of control of NRC Exempt Distribution License Number 19-23798-01E. 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) Section 30.34, the NRC consents to the transfer.

Heraeus Noblelight America, LLC is authorized by the NRC to distribute byproduct material under 10 CFR Part 30 in accordance with its Exempt Distribution License. By letter dated May 14, 2024, Heraeus Noblelight America, 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 described in ADAMS package accession number ML24138A038, the indirect transfer of control of Heraeus Noblelight America, LLC, resulted from the recent stock purchase of the company, Heraeus Noblelight America, LLC, by Excelitas Technologies Corporation. Excelitas

Technologies Corporation purchased 100 percent of the shares of Heraeus Noblelight America LLC from Heraeus Holding GmbH. The certification amendment of Heraeus Noblelight America, LLC has been carried out, and as of December 31, 2023, Heraeus Noblelight America, LLC has changed its name to Excelitas Noblelight America LLC. The NRC staff finds that the licensee request, with the additional information received on September 5, 2024, adequately provides a complete and clear description of the transaction, consistent with 10 CFR 30.34(b) and Chapter 5 and Appendix E of NUREG-1556, Vol. 15, Rev. 1. Because the transfer of control occurred on December 31, 2023, and the request is dated May 14, 2024, this request was for approval of an indirect license transfer, without receiving prior written consent from the Commission. The sufficiency of the description is evaluated below.

The NRC posted the request for an indirect transfer of ownership on its website for 30 days public comment period 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.

Based on the information provided, Heraeus Noblelight America, LLC is not required to have financial assurance for decommissioning because of the types and amount of material authorized in its license. 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 inspections of Heraeus Noblelight America, LLC on 1/13/19, 11/15/13, and 11/8/08 at 910 Clopper Road, Gaithersburg, Maryland. The NRC identified no violations.

Additionally, as described in its request, Heraeus America, LLC commits that it:

- will not change the locations, facilities, and equipment authorized in the NRC license;
- will not change the radiation safety program authorized in the NRC license.
- will abide by all conditions, requirements, and commitments in the NRC license.

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.

An environmental assessment for this action is not required because this action is categorically excluded under 10 CFR 51.22(c)(21).

The NRC staff has reviewed the request for an indirect transfer of control of License Number 19-23798-01E. 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.

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. The NRC's approval must be received prior to implementation of any such proposed change.

In accordance with 10 CFR 2.390, "Public inspections, exemptions, requests for withholding," a copy of this letter and its enclosure 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 Vanessa Cox at 301-415-8342 or via electronic mail at [Vanessa.Cox@nrc.gov](mailto:Vanessa.Cox@nrc.gov).

Sincerely,

A handwritten signature in black ink that reads "Vanessa Cox" in a cursive script.

Vanessa Cox, Project Manager  
Materials Safety and Licensing Branch  
Division of Material Safety, State, Tribal,  
and Rulemaking Programs  
Office of Nuclear Material Safety  
and Safeguards

License No. 19-23798-01E  
Docket No. 030-325474  
Mail Control No. 640756

SUBJECT: HERAEUS NOBLELIGHT AMERICA, LLC REQUEST FOR WRITTEN  
CONSENT TO INDIRECT LICENSE TRANSFER

DATE: October 1, 2024

**ADAMS Accession Number: ML24218A157**

<b>OFFICE</b>	MSST/MSLB	MSST/MSLB	OGC	MSST/MSLB
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<b>DATE</b>	08/05/2024	08/05/2024	09/16/2024	09/26/2024
<b>OFFICE</b>	MSST/MSLB			
<b>NAME</b>	VCox			
<b>DATE</b>	10/01/2024			

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