

Information Needed For Transfer of Control Application

Include a contact name and either U.S. Nuclear Regulatory Commission (NRC) regional office or Headquarters telephone numbers for follow-up information, as required.

NRC Region: Region 1
Telephone: (573) 933-1908

Contact: Kay Parker
Fax: (313) 454-0768

Definitions:

Control: Control of a license is in the hands of the person or persons who are empowered to decide when and how that license will be used. That control is to be found in the person or persons who, because of ownership or authority explicitly delegated by the owners, possess the power to determine corporate policy and, thus, the direction of the activities under the license.

Transferee: A transferee is an entity that proposes to purchase or otherwise gain control of an NRC-licensed operation.

Transferor: A transferor is an NRC licensee selling or otherwise giving up control of a licensed operation.

Information Needed for Transfer of Control

Licensees must provide full information and obtain NRC's ***prior written consent*** before transferring control of the license. Provide the following information concerning changes of control by the applicant (transferor and/or transferee, as appropriate). If any items are not applicable, so state.

1. Describe any planned changes in the organization, including but not limited to, transfer of stocks or assets and mergers, change in members on Board of Directors, etc. Provide the new licensee name, mailing address, and contact information, including phone numbers. Clearly identify when the amendment request is due to a name change only.
2. Describe any changes in personnel or duties that relate to the licensed program. Include training and experience for new personnel and any changes in the training program.
3. Describe any changes in the location, facilities, equipment, radiation safety program, use, possession, waste management, or other procedures that relate to the licensed program.
4. Describe the status of the licensee's facilities, equipment, and radiation safety program, including any known contamination and whether decontamination will occur prior to transfer. Include the status of calibrations, leak tests, area surveys, wipe tests, training, quality control, and related records.
5. If current decommissioning funding plans (DFP) will be changed as a result of the transfer, the revised DFP should be submitted. If other financial assurance documents will be changed as a result of the transfer, confirm that all financial assurance instruments associated with the license will be held in the transferee's name before the

license is transferred, and as required by 10 CFR 30.35(f), the licensee must, within 30 days, submit financial instruments reflecting such changes.

6. Confirm that all records concerning the safe and effective decommissioning of the facility will be transferred to the transferee or to NRC, as appropriate. These records include documentation of surveys of ambient radiation levels and fixed and/or removable contamination, including methods and sensitivity.
7. Confirm that both transferor and transferee agree to transferring control of the licensed material and activity, and the conditions of transfer, and that the transferee has been made aware of any open inspection items and its responsibility for possible resulting enforcement actions.
8. Confirm that the transferee will abide by all constraints, conditions, requirements, representations, and commitments of the transferor or that the transferee will submit a complete description of the proposed licensed program.
9. The transferee, in the case of fuel cycle facilities, shall provide documentation showing that it is financially qualified to conduct normal operations. The information can be in the form of income statements and balance sheet forecasts.



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- 1) Describe any planned changes in the organization, including but not limited to, transfer of stocks or assets and mergers, change in members on Board of Directors, etc. Provide the new licensee name, mailing address, and contact information, including phone numbers. Clearly identify when the amendment request is due to a name change only.**
 - A) The changes are that Steven Bartholome Jr. Director of NOE will report to Ryan Ares is CEO of Bengal ITS Finance LLC. And I report to Steven.**
 - B) The new name is NOE Advanced Services LLC.**
 - C) The mailing address remains the Same 5218 Cone Rd Tampa FL 33610.**
 - D) NDE acts as an independent entity (making its own radiation safety decisions) despite being owned by Bengal ITS Finance LLC. RSO has The power to stop unsafe operations immediately and has access to the budget required to maintain safety equipment and training, regardless of the parent company's finance.**
- 2) Describe any changes in personnel or duties that relate to the licensed program. Include training and experience for new personnel and any changes in the training program?**
 - A) The change is that Steven Bartholome is no longer sole owner of NOE and will report to Ryan Ares**
 - B) There are no changes to lower management in the Personnel or duties.**
 - C) The training and the experience are the same as the training will only be improved on going forward.**
- 3) Describe any changes in the location, facilities, equipment, radiation safety program, use, possession, waste management, or other procedures that relate to the licensed program?**
 - A) NDE acts as an independent entity (making its own radiation safety decisions) despite being owned by Bengal ITS Finance LLC .There are no changes in the Tampa or the Louisiana or NRC location, Licensing, facilities, equipment, radiation safety program**
 - B) No changes to the location, facilities, equipment or the radiation safety program or the use or possession,**
 - C) The waste management or any procedures that relate to the licensed program will not change**



- 4) **Describe the status of the licensee's facilities, equipment, and radiation safety program, including any known contamination and whether decontamination will occur prior to transfer. Include the status of calibrations, leak tests, area surveys, wipe tests, training, quality control, and related records.**
 - a) **There are no changes to any of the items in the listed Above.**
 - b) **The licensed facility equipment and radioactive program is running as it should and everything is in calibration. Leak testing are up to date with no contamination and is decontamination are up to date.**
 - c) **There is no contamination in or on facilities or equipment.**
- 5) **If current decommissioning funding plans (DFP) will be changed as a result of the transfer, the revised DFP should be submitted. If other financial assurance documents will be changed as a result of the transfer, confirm that all financial assurance instruments associated with the license will be held in the transferee's name before the E-2 license is transferred, and as required by 10 CFR 30.35(f), the licensee must, within 30 days, submit financial instruments reflecting such changes.**
 - a) **There will be no changes in the decommissioning funding plan**
- 6) **Confirm that all records concerning the safe and effective decommissioning of the facility will be transferred to the transferee or to NRC, as appropriate. These records include documentation of surveys of ambient radiation levels and fixed and/or removable contamination, including methods and sensitivity.**
 - a) **This does not apply**
- 7) **Confirm that both transferor and transferee agree to transferring control of the licensed material and activity, and the conditions of transfer, and that the transferee has been made aware of any open inspection items and its responsibility for possible resulting enforcement actions.**
 - a) **"Both parties... are both in agreement": Indicates mutual consent to the transfer, which is essential for legal validity. To maintain the license in activities": The new license holder is committed to continuing the operations, and uses approved in the original license. "Maintain the condition of transfer": Both parties are abiding by the specific terms, restrictions, and requirements outlined in the transfer agreement. "Has been made aware of responsibilities for the License": The receiving party acknowledges their obligations, including compliance with regulations, liability, and ongoing, upkeep of the license.**

- 8) Confirm that the transferee will abide by all constraints, conditions, requirements, representations, and commitments of the transferor or that the transferee will submit a complete description of the proposed licensed program.
 - a) Yes all the transferee will abide by all constraints, conditions, requirements, representations.
 - b) Radioactive Material Programs (RAM) require an annual review of the radiation protection program to ensure it remains compliant, but this implies maintaining the core safety standards.
- 9) The transferee, in the case of fuel cycle facilities, shall provide documentation showing that it is financially qualified to conduct normal operations. The information can be in the form of income statements and balance sheet forecasts.
 - a) Question 9 does not apply.



NEW SECTION 1 – ADMINISTRATIVE PROCEDURES

