

NUCLEAR REGULATORY COMMISSION

In the Matter of

NORDION (CANADA) INC.

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Docket Nos. 11006113

License No. PXB3.07-R

**Order Approving Extension of Time for Indirect Transfer
of an Export License**

I.

Nordion (Canada) Inc. (“Nordion” or “the Licensee”) holds export license No. PXB3.07-R. Nordion is an indirect, wholly-owned subsidiary of the following five companies, in order from the ultimate parent to the direct parent company: Sterigenics-Nordion Topco, LLC (“Topco”); Sterigenics-Nordion Holdings, LLC; STHI Holdings, Inc.; STHI Intermediate Holding Corp.; STHI Holding Corp. (“STHI”); and 8921903 Canada, Inc. (“Canada, Inc.”).

II.

By letter dated November 19, 2015¹, Nordion notified the U.S. Nuclear Regulatory Commission (NRC) of a proposed indirect transfer of control of export license PXB3.07-R, and submitted a request that the NRC consent to the proposed indirect transfer of control of the export license. The indirect transfer would have occurred as a result of an internal corporate reorganization, which was scheduled to be completed on December 31, 2015. Nordion identified

¹ Agencywide Documents Access and Management System [ADAMS] Accession Number ML15329A036.

the proposed reorganization—and attending indirect transfer of its license—in its November 19th letter. Nordion’s letter requested approval of this indirect transfer of its export license pursuant to Section 184 of the Atomic Energy Act of 1954, as amended (AEA) (42 U.S.C. § 2234) and Title 10 of the *Code of Federal Regulations* (10 CFR) 110.50(d). Nordion’s letter requesting NRC approval of the transfer was made publicly available by the NRC in ADAMS. The NRC received neither comments nor requests for hearing.

Pursuant to Section 184 of the AEA, the NRC cannot transfer any license granted under 10 CFR part 110 unless the NRC, after securing full information, finds the transfer to be in accordance with the provisions of the AEA, and gives its consent in writing. The staff found that the information submitted by Nordion sufficiently described and documented the transactions and commitments made by Nordion. Nordion would remain the licensee. Accordingly, under Section 184 of the AEA, the NRC approved the indirect transfer of Nordion’s license by Order dated January 4th, 2016.²

The NRC further ordered that after receipt of all required regulatory approvals of the indirect transfer, Sterigenics-Nordion Topco, LLC, as the ultimate parent company, must inform the Director of the Office of International Programs, in writing, of such receipt no later than one (1) business day prior to the closing of the indirect transfer. Should the indirect transfer not be completed within 60 days from the date of issuance of the Order, the Order would become null and void; however, on written application and for good cause shown, such date may be extended by Order.

² Adams Accession Number ML13224A289 (license); Adams Accession Number ML15352A040 (indirect transfer order).

III.

On February 26, 2016, Richard Wassenaar of Nordion contacted the Director of the Office of International Programs in writing, requesting an extension of time for the indirect transfer of control of export license No. PXB3.07-R (the letter is available in ADAMS, Accession Number ML16064A312). Nordion sought this extension because the transfers of control impacting the export license would not be completed by March 4, 2016, which was 60 days from the date of issuance of the Order dated January 4, 2016. Via this communication, Nordion requested an extension of the Order to Monday, June 6, 2016, indicating that the transactions that would impact its NRC export license were expected to occur on or before that date. Nordion requested no other changes to the transactions described in the original Order other than the closing date. Nordion also stated that if the NRC were not to grant Nordion's request, then Nordion would need to resubmit its application, and the NRC would need to docket and again process the application. In order to avoid these administrative burdens and for the reasons stated above, Nordion expressed that the NRC should find good cause to extend the effective date of the Order until June 6, 2016. The NRC found that Nordion's written application dated February 26, 2016, and described in this section, showed good cause by demonstrating that excessive administrative burdens would ensue without the extension, and therefore agrees that such date may be extended to June 6, 2016, by Order.

IV.

Accordingly, pursuant to Section 184 of the AEA, IT IS HEREBY ORDERED that the proposed extension of time for the indirect transfer of license of Nordion (Canada) Inc., as described herein, is approved.

IT IS FURTHER ORDERED that after receipt of all required regulatory approvals of the proposed extension of time for the indirect transfer, STHI or Sterigenics-Nordion shall inform the Director of the Office of International Programs, in writing, of such receipt no later than one (1) business day prior to the closing of the proposed indirect transfer. Should the proposed indirect transfer not be completed by June 6, 2016, the Order shall become null and void; however, on written application and for good cause shown, such date may be extended by a subsequent order.

This Order is effective upon issuance.

For further details with respect to this Order, see the application dated November 19, 2015 (ADAMS Accession Number ML15329A036), the subsequent Order dated January 4, 2016, approving the indirect transfer (ADAMS Accession Number ML15352A040), and the letter requesting the extension of time for the indirect transfer of the export license (ADAMS, Accession Number ML16064A312). Publicly-available records will be accessible electronically from the ADAMS Public Electronic Reading Room on the Internet at the NRC Web site <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, or 301-415-4737 or by e-mail to pdr@nrc.gov.

Dated at Rockville, Maryland this 11th day of April 2016.

FOR THE NUCLEAR REGULATORY COMMISSION.

/RA/

Geoffrey B. Miller, Acting Director,
Office of International Programs

IT IS FURTHER ORDERED that after receipt of all required regulatory approvals of the proposed extension of time for the indirect transfer, STHI or Sterigenics-Nordion shall inform the Director of the Office of International Programs, in writing, of such receipt no later than one (1) business day prior to the closing of the proposed indirect transfer. Should the proposed indirect transfer not be completed by June 6, 2016, the Order shall become null and void; however, on written application and for good cause shown, such date may be extended by a subsequent order.

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Dated at Rockville, Maryland this 11th day of April 2016.

FOR THE NUCLEAR REGULATORY COMMISSION.

/RA/

Geoffrey B. Miller, Acting Director,
Office of International Programs

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ADAMS Accession No: ML16102A180

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