



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
2443 WARRENVILLE RD. SUITE 210
LISLE, IL 60532-4352

DEC 01 2016

Eric Berry
Vice President – Environmental Law
Mallinckrodt plc
675 McDonnell Blvd.
Hazelwood, MO 63042

SUBJECT: REQUEST FOR CONSENT TO INDIRECT LICENSE TRANSFER

Dear Mr. Berry:

By letter dated September 2, 2016, Mallinckrodt plc (Mallinckrodt), on behalf of CapVest Partners LLP (CapVest), submitted to the U. S. Nuclear Regulatory Commission (NRC) a Request for Consent to Indirect License Transfer of NRC Materials License Nos. 24-04206-01, 24-04206-02 and 24-04206-05MD. Based on the information provided, we understand that as a result of a share purchase agreement between Mallinckrodt and CapVest, control of Mallinckrodt Nuclear Medicine LLC will be indirectly transferred to CapVest. We further understand that this transfer will not result in any change to the licensed materials, persons using the licensed materials, locations of use of licensed materials, or persons responsible for the licensee's radiation safety programs.

Based on the above understandings and as more fully detailed in the enclosed NRC staff's Safety Evaluation Report which documents the NRC staff's review of the request, we have no objection to the transfer. It is our understanding that the effective date of the transfer will be on or after December 1, 2016. **Please note that you will need to notify us within 30 days, in writing, after the transaction has been finalized and include a signed copy of the purchase agreement confirming completion of the transaction.** Also, please include information to support other necessary changes (i.e., facility name change). With this information, we can issue amendments to the aforementioned NRC licenses to reflect the transaction as necessary. Please contact me at 678-828-7050, or by e-mail at bryan.parker@nrc.gov if you have any questions regarding this letter.

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency's *expectations* for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html>. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'BAP', is written over the typed name.

Bryan A. Parker
Senior Health Physicist
Materials Licensing Branch

License Nos.: 24-04206-01
24-04206-02
24-04206-05MD

Docket Nos.: 030-00001
030-38 173
030-10801

Enclosure: Safety Evaluation Report