



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
2100 RENAISSANCE BLVD.
KING OF PRUSSIA, PA 19406-2713

January 7, 2019

David Fenton, Industrial Director –
Additive Technologies
Cytec Industries, Inc.
#1 Heilman Avenue
Willow Island, WV 26134

SUBJECT: CYTEC INDUSTRIES, INC., ACCEPTANCE OF NOTIFICATION OF AN
INDIRECT TRANSFER OF CONTROL, MAIL CONTROL NO. 610275

Dear Mr. Fenton:

By the letter received October 19, 2018 and the additional information submitted November 27, 2018, Cytec Industries, Inc. (Cytec) provided information of an indirect transfer of control of the license to Solvay Holdings Inc. (Solvay). From your letter, we understand that this transfer did not result in any change to the location of use, materials, persons using licensed material, or persons responsible for radiation safety at the licensed facility. Your letter received October 19, 2018, stated that the transfer of ownership occurred on December 9, 2015. Thus, this was a request for post-hoc approval to transfer of indirect control. Cytec and Solvay did not comply with NRC regulations as they did not receive the NRC's prior written approval for this transfer of control as required by Section 30.34(b) in Title 10 of the *Code of Federal Regulations* (10 CFR) and Section 184 of the Atomic Energy Act of 1954, as amended. Cytec and Solvay should have requested and received approval for this indirect transfer of control prior to the sale on December 9, 2015.

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

Based on the above understandings, as more fully detailed in the enclosed Safety Evaluation Report, which documents the NRC staff's safety review of the request, the NRC consents to the transfer of NRC Materials License No. 47-10136-03. Future changes in the licensee's name, licensed use, licensed materials, licensed location, or persons responsible for licensed material require submission of a request to amend the license. NRC approval must be received prior to implementation of the proposed change. If you have any questions regarding this letter, please contact me at 610-337-5366 or via electronic mail at dennis.lawyer@nrc.gov.

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

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis Lawyer", with a long, sweeping horizontal stroke extending to the right.

Dennis Lawyer, Health Physicist
Commercial, Industrial, R&D
and Academic Branch
Division of Nuclear Materials Safety
Region I

License No. 47-10136-03
Docket No. 03015161
Mail Control No. 610275

cc: Bruce Valentine, Radiation Safety Officer

Enclosure:
Safety Evaluation Report

CYTEC INDUSTRIES, INC., ACCEPTANCE OF NOTIFICATION OF AN INDIRECT
TRANSFER OF CONTROL, MAIL CONTROL NO. 610275 DATED January 7, 2019

DOCUMENT NAME: G:\WBL Documents\WBL License Cover Letter\L47-10136-03.610275.docx

SUNSI Review Complete: DLawyer

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