



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

February 23, 2021

Mr. James Voorhies
Corporate Radiation Safety Officer
Water Remediation Technology, LLC
901 W. 116th Avenue, Suite 400
Westminster, CO 80234

**SUBJECT: WATER REMEDIATION TECHNOLOGY LLC REQUEST FOR WRITTEN
CONSENT TO INDIRECT LICENSE TRANSFER**

Dear Mr. Voorhies:

By letter dated October 26, 2020 (available in the U.S. Nuclear Regulatory Commission's [NRC] Agencywide Document Access and Management System [ADAMS] at Accession No. ML20304A123), Water Remediation Technology, LLC (WRT) submitted to the NRC a request for written consent to an indirect transfer of control of NRC Materials License Number SUC-1591. In accordance with Section 184 of the Atomic Energy Act of 1954, as amended (AEA), and 10 CFR 40.46, the NRC consents to the transfer.

WRT is authorized by the NRC for the possession and use of source material under Part 40. By letter October 26, 2020, WRT requested written consent from the NRC to the indirect transfer of control of its license. 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, because the license was issued under 10 CFR Part 40, "Domestic Licensing of Source Material," 10 CFR 40.46. 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 40.46 states:

- a) No license issued or granted pursuant to the regulations in this part 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 this act, and shall give its consent in writing.
- b) An application for transfer of license must include:
 - (1) The identity, technical and financial qualifications of the proposed transferee; and
 - (2) Financial assurance for decommissioning information required by § 40.36 or Appendix A to this part, as applicable.

As described in ADAMS Accession Number ML20304A123, the indirect transfer of control will result from a sale of majority shares in WRT's parent holding company, WRT International, LLC. The transaction will result in control of the parent holding company of WRT, WRT International, LLC, being transferred from the Houston Family Foundation to Water Remediation Technology (DE), LLC, although the licensee, WRT, which holds Material License SUC-1591, will remain the same. The sufficiency of WRT's application is evaluated in Enclosure 1, the NRC staff's safety evaluation report.

The NRC staff has reviewed the request for an indirect transfer of control of License Number SUC-1591. The NRC staff finds that the indirect transfer of control is in accordance with Section 184 of the AEA and 10 CFR 40.46 and consents to the transfer. Please note that you will need to notify us promptly, in writing, after the transaction has been finalized and include a signed copy of the sales agreement confirming completion of the transaction. If this planned sale has not been consummated within 30 days of the date of this letter, please notify us in writing.

Enclosure 2 is the draft License Amendment No. 1, which is an administrative amendment referencing WRT's transfer of control application and response to NRC's request for additional information that will be issued upon completion of 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. NRC approval must be received prior to implementation of any such proposed change.

In accordance with 10 CFR 2.390, a copy of this letter 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 concerning this letter, please do not hesitate to contact Christopher Grossman of my staff, either via telephone at 301-415-0140 or by email at Christopher.Grossman@nrc.gov.

Sincerely,



Signed by Holahan, Patricia
on 02/23/21

Patricia Holahan, Director
Division of Decommissioning, Uranium
Recovery, and Waste Programs
Office of Nuclear Material Safety
and Safeguards

Docket No. 040-09059
License No. SUC-1591

Enclosures:

1. Safety Evaluation Report for Transfer of Control of Source Material License SUC-1591
2. Draft Materials License SUC-1591, Amendment 1

cc: Christopher Pugsley, Esq. (Thompson & Pugsley, PLLC)

Approval of Transfer of Control of WRT Parent Holding Company DATE February 23, 2021

DISTRIBUTION:

HGepford, R-IV/DNMS/MLDB

ADAMS Accession No.: ML21029A196; Ltr ML21029A193

*** via email**

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