



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

December 28, 2021

Fred E. Raco, Jr, President  
RNDT, Inc.  
238 Maple Avenue  
Johnstown, PA 15901

SUBJECT: RNDT, INC., ACCEPTANCE OF NOTIFICATION OF CHANGE OF CONTROL,  
MAIL CONTROL NO. 628707

Dear Mr. Raco:

By letter dated September 15, 2021 (Agencywide Documents Access and Management System (ADAMS) Accession Number ML21272A242), RNDT, Inc. submitted to the U.S. Nuclear Regulatory Commission (NRC) a request for written consent to a direct transfer of control of NRC Materials License number 37-30942-02. In accordance with Section 184 of the Atomic Energy Act of 1954, as amended (AEA), and 10 CFR 30.34, the NRC consents to the transfer.

RNDT, Inc. is authorized by the NRC for the possession and use of byproduct material under Part 30. By letter dated September 15, 2021, RNDT, Inc. requested written consent to the direct transfer of control of its license from the NRC. Because the license was issued under 10 CFR Part 30, "Rules of General Applicability to Domestic Licensing of Byproduct Material," 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 10 CFR 30.34(b). Additionally, the NRC staff reviewed the direct transfer of control request using the guidance in "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 30.34(b) states:

- (1) No license issued or granted pursuant to the regulations in [parts 30] through 36, and 39 nor any right under a license 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 the Act and shall give its consent in writing.
- (2) An application for transfer of license must include:
  - (i) The identity, technical and financial qualifications of the proposed transferee; and
  - (ii) Financial assurance for decommissioning information required by [10 CFR] 30.35.

As described in ADAMS accession number ML21272A242, the direct transfer of control will result from an agreement between the two individuals who are the current owners of RNDT,

Inc., to four individuals who will acquire 100% (26%, 26%, 24% and 24%) of all stock, and all assets and equipment belonging to RNDT, Inc. The NRC staff finds that the licensee request adequately provides a complete and clear description of the proposed transaction, consistent with 10 CFR 30.34(b) and Chapter 5 and Appendix E of NUREG-1556, Vol. 15, Rev. 1. The sufficiency of the description is evaluated below.

The request for a direct transfer of ownership was posted for public comment on the NRC website for 30 days in accordance with 10 CFR Part 2, Subpart M and as described in NRC's Regulatory Issue Summary 2014-08, Revision 1. No comments were received from members of the public.

In the request for a direct transfer of ownership, RNDT, Inc. provided information regarding its current decommissioning funding plans. Based on the information provided, RNDT, Inc. is not required to have financial assurance for decommissioning because of the types and amount of material authorized in its license.

Further, the NRC conducted an inspection of RNDT, Inc. on July 27-28, 2021 at a worksite between Bridgeport and Parkesburg, West Virginia. The NRC identified no violations.

Additionally, as described in its request, RNDT, Inc. commits that it:

- A. Will continue to operate under the same name;
- B. Will continue to operate from the same location;
- C. Will continue implementation of the radiation safety program under the same Radiation Safety Officer;
- D. Will employ one of the former owners as a technical advisor;
- E. Will accept all prior records and continue to maintain required records;
- F. Will abide by all constraints, license conditions, requirements, representations and commitments identified in the existing license and regulation.

Based on these commitments, the NRC staff finds that the licensee request adequately documents the constraints, license conditions, requirements, representations, and commitments made by the transferee, consistent with 10 CFR 30.34(b) and Chapter 5 and Appendix E of NUREG-1556, Vol. 15, Rev. 1.

The direct transfer of RNDT, Inc. is between the two current owners of the company (Fred E. Raco, Jr. and Jimma L. Raco), as transferors, and four current employees of the RNDT, Inc. (Erik Korenoski, Brian Lowe, Fred E Raco, III, and Anthony Raco), as transferees. The NRC staff used the guidance provided by the NRC's Office of Nuclear Material Safety and Safeguards' "Checklist to provide a basis for confidence that radioactive materials will be used as specified on the application," January 29, 2019 revision. The purpose of this checklist is for the NRC to obtain reasonable assurance from new license applicants or NRC licensees transferring control of licensed activities that the licensed material will be used for its intended purpose and not for malevolent use. Because the new owners, although all current employees, do not meet any of the criteria in the guidance to be a "known entity", a pre-licensing visit was required. The pre-licensing visit was performed on July 28, 2021 with Brian Lowe and the Radiation Safety Officer (ML21361A234). Based on the information received during the inspection, the NRC believes that the new owners will use licensed material for its intended purpose and not for malevolent use.

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

The staff has reviewed the request for a direct transfer of control of 37-30942-02. The NRC staff finds that the direct transfer of control is in accordance with Section 184 of the AEA and 10 CFR 30.34(b) 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.

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 regarding this letter, please contact Betsy Ullrich at 610-337-5040 or via electronic mail at [Elizabeth.Ullrich@nrc.gov](mailto:Elizabeth.Ullrich@nrc.gov).

Thank you for your cooperation in this matter.

Sincerely,

Betsy Ullrich, Senior Health Physicist  
Commercial, Industrial, R&D  
and Academic Branch  
Division of Nuclear Materials Safety  
Region I

License No. 37-30942-02  
Docket No. 030-38850  
Mail Control No. 628707

cc: Allan R. Thomassy, Jr., Radiation Safety Officer

RNDT, INC., ACCEPTANCE OF NOTIFICATION OF CHANGE OF CONTROL, MAIL  
CONTROL NO. 628707 DATED DECEMBER 28, 2021

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**SUNSI Review Complete:** Betsy Ullrich

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