

# Smyth County Community Hospital

565 Radio Hill Road  
Post Office Box 880  
Marion, Virginia 24354-0880

October 12, 2006

Richard McKinley  
Health Physicist  
Medical Branch, Division of Nuclear Materials Safety  
United States Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA 19406-1415

J-3  
MS-16

Re: License No. 45-19382-01      03017518

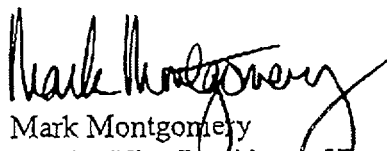
Dear Mr. Mckinley:

In response to your August 10, 2006 letter (copy attached), the following are the answers to your requested items:

- a. The Mountain States Health Alliance (MSHA); with corporate offices in Johnson City, TN; will be our new owner with an anticipated effective date of November 1, 2006. The exact date is still to be determined, since the transaction must be approved by the State Attorney General. The transaction involved will result in Smyth County Community Hospital (SCCH) being restructured as a member corporation, with MSHA holding a 80% membership interest.
- b. There will not be a name change.
- c. There will not be any change in personnel or duties.
- d. There will not be any changes.
- e. That since Tennessee is an agreement state and Virginia is a NRC state, our Radiation Safety Committee will assume responsibility for the license. The surveillance program will not change, and will be performed in accordance with current license conditions.
- f. Not applicable.
- g. There will not be any changes.
- h. Not applicable.

If further information is needed, please let me know at 276/782-1194.

Sincerely,

  
Mark Montgomery  
Interim Vice President of Business Support Services



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

August 10, 2006

Docket No. 03017518  
Control No. 139168

License No. 45-19382-01

Tim Anderson  
Vice President, Clinical Services  
Smyth County Community Hospital  
565 Radio Hill Road  
Marion, VA 24354

SUBJECT: SMYTH COUNTY COMMUNITY HOSPITAL, REQUEST FOR ADDITIONAL INFORMATION CONCERNING APPLICATION FOR AMENDMENT TO LICENSE, CONTROL NO. 139168

Dear Mr. Anderson:

This is in reference to your letter dated July 17, 2006 regarding the pending change in ownership of Smyth County Community Hospital. In order to continue our review, we need the following additional information prior to completion of the sale, submitted as a request to amend NRC License No. 45-19382-01 accordingly:

It appears from your letter that a possible change of ownership (control) has occurred. Licensees must provide full information and obtain NRC's *prior written consent* before transferring control of the license. Control of a license is in the hands of the person or persons who are empowered to decide when and how that license will be used. That control is to be found in the person or persons who, because of ownership or authority explicitly delegated by the owners, possess the power to determine corporate policy and thus the direction of the activities under the license. A transferee is an entity that proposes to purchase or otherwise gain control of an NRC-licensed operation. A transferor is an NRC licensee selling or otherwise giving up control of a licensed operation. Provide the following information concerning changes of control by the applicant (transferor and/or transferee, as appropriate). If any items are not applicable, so state.

- a. Provide a complete description of the transaction (transfer of stocks or assets, or merger).
- b. Indicate whether the name has changed and include the new name. Include the name and telephone number of a licensee contact who NRC may contact if more information is needed.
- c. Describe any changes in personnel or duties that relate to the licensed program. Include training and experience for any new personnel.
- d. Describe any changes in the organization, location, facilities, equipment or procedures that relate to the licensed program.

T. Anderson  
Smyth County Community Hospital

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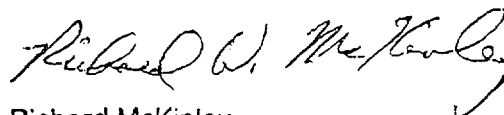
- e. Describe the status of the surveillance program (surveys, wipe tests, quality control) at the present time and the expected status at the time that control is to be transferred.
- f. Confirm that all records concerning the safe and effective decommissioning of the facility will be transferred to the transferee or to NRC, as appropriate. These records include documentation of surveys of ambient radiation levels and fixed and/or removable contamination, including methods and sensitivity.
- g. Confirm that the transferee will abide by all constraints, conditions, requirements and commitments of the transferor or that the transferee will submit a complete description of the proposed licensed program.
- h. If your license requires financial assurance for decommissioning, you will need to address changes to financial assurance for name changes and/or change in ownership (control). If your company's name is changing and there is no change of ownership, you will need to amend your financial assurance instruments and supporting documents to address the change in name. If there has been a change of ownership (control), the transferee must submit new financial assurance in accordance with Chapter 4 to Volume 3 of NUREG-1757, "Consolidated NMSS Decommissioning Guidance."

Current NRC regulations and guidance are included on the NRC's website at [www.nrc.gov](http://www.nrc.gov); select **Nuclear Materials; Medical, Academic, and Industrial Uses of Nuclear Material**; then **Toolkit Index Page**. Or you may obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 8:00 p.m. EST, Monday through Friday (except Federal holidays).

We will continue our review upon receipt of this information. Please reply to my attention at the Region I Office and refer to Mail Control No. 139168. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5102.

If we do not receive a reply from you within 30 calendar days from the date of this letter, we will assume that you do not wish to pursue your application.

Sincerely,



Richard McKinley  
Health Physicist  
Medical Branch  
Division of Nuclear Materials Safety

cc:

Joseph G. Blankenship, M.D., Radiation Safety Officer