UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
612 EAST LAMAR BLVD., SUITE 400
ARLINGTON, TEXAS 76011-4125

# FACSIMILE

**Name:** Jeff Fairbanks
**Organization:** St. Luke's Health System
**E-mail Address:** fairbanj@slhs.org
**Phone:**
**From:** Jacqueline D. Cook ***/RA/*** ***(actually emailed Jeff on 11/15/10)***
**Date:** November 15, 2010
**Subject:** Telephone Conversation on November 15, 2010 Discussing Required Documentation for Change of Ownership/Transfer of Control & Possible Consolidation of NRC Licenses
**Pages:** 4

Dr. Fairbanks:

10 CFR 30.34(b) states that "no license issued or granted pursuant to the regulations...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...find that the transfer is in accordance with the provisions of the Act and shall give its consent in writing. Although not specifically addressed by 10 CFR 30.34, licensees undergoing a name change may also be affected by this regulation.

Control over licensed activities can be construed as the authority to decide when and how a license (licensed material and/or activities) will be used. A change of ownership may be an example of a change of control. The central issue is whether the authority over the license has changed. In all cases, determining whether a change of control has taken place or whether a change is in name only is the Commission's responsibility.

Licensees must notify the Commission when they are undergoing a possible change of control and/or a change of name. While this notification is not required within a certain time frame, NRC needs adequate time to review the submittal to ensure that the transfer is in accordance with the regulations.

In order to process your request for a change of control/ownership and/or a name change, the information below is required.

Information Required for Change of Control and/or Change of Ownership
(to include a name change)
Source: Appendix F of NUREG-1556, Volume 15 (Date Published: November 2000)

**Please provide the following information concerning changes of control (transferor and/or transferee, as appropriate). If any items are not applicable, so state.**

1. Provide a complete description of the transaction (i.e., transfer of stocks or assets, or merger). 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.

   A. Description of the transaction:

   B. [ ] No name change

      [ ] New name of licensed organization:_____

   C. [ ] No change in contact

      [ ] New contact: _____

      [ ] New telephone number: _____

2. Describe any changes in personnel or duties that relate to the licensed program. Include training and experience for new personnel.

   A. [ ] No changes in personnel having control over licensed activities.

      [ ] Changes is personnel having control over licensed activities (e.g. officers of a corporation):

   B. [ ] No changes in personnel named in the license.

      [ ] Changes in personnel named in the license (e.g. RSO, AUs) - including training, experience and responsibilities:

3. Describe, in detail, any changes in the organization, location, facilities, equipment or procedures that relate to the licensed program.

   [ ] Organization:

   [ ] Equipment:

   [ ] Location:

   [ ] Procedures:

   [ ] Facility:

   [ ] Not applicable

4. Describe the status of the surveillance program (i.e., surveys, wipe tests, quality control) at the present time and the expected status at the time that control is to be transferred.

   A. Description of the status of all surveillance program:

   B. Surveillance Items & Records: calibrations, leak tests, surveys, inventories, and accountability requirements will be current at the time of transfer

      [ ] Yes [ ] No (explain)

5. 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.

   Records transferred to:
   [ ] New licensee [ ] NRC for license termination [ ]Not applicable

6. 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.

[ ] Description of proposed licensed program attached

**OR**

_____ will abide by all constraints, conditions,
(transferee)
requirements and commitments of _____.
(transferor)

_____ _____
Signature/Title Signature/Title
Transferee Transferor

_____ _____
date date

**OR**

[ ] Not applicable (name change only)

_____ _____
Certifying Officer - Signature Date

_____
Certifying Officer - Typed name and title