

From: [Nguyen, Janice](mailto:Nguyen_Janice)
To: rfalague@stfranciscare.org
Subject: NRC Request for Additional Information for Change of Control of Johnson Memorial Hospital (Mail Control Number 589520)
Date: Thursday, December 17, 2015 8:10:00 AM

Licensee: Johnson Memorial Hospital
License No: 06-16624-01
Docket No: 030-11353
Control No: 589520

Dear Mr. Falaguerra,

Could you please reply back to this email to confirm receipt?

This is in response to your amendment request dated December 3, 2015, which appears to be a change of ownership of Johnson Memorial Hospital to Trinity Health – New England, Inc. (f/k/a Saint Francis Care, Inc.). In order to continue our review, please provide the following additional information:

1. Section 184 of the Atomic Energy Act of 1954, as amended, and the NRC's regulations at 10 CFR 30.34(b)(1) require that no license issued or granted 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. Please confirm that control of Johnson Memorial Hospital's license, licensed activities, and licensed material will not be transferred directly or indirectly prior to NRC's approval and written consent.
2. A senior management representative from Johnson Memorial Hospital (JMH) should have cosigned the letter notifying the NRC of the change of control. Please submit a letter signed by JMH senior management indicating that they have reviewed the letter from Trinity Health - New England dated December 3, 2015, and concur in the statements and representations contained therein.
3. Please provide a complete description of the transaction (i.e. is this a merger, a transfer of stocks or assets, etc.), and confirm if this is a direct or indirect change of ownership. Please indicate if the name will be changing and include the new name. Please also indicate if the Employer Identification Number will remain the same. Please also include the name and telephone number of a licensee contact if more information is needed.
4. Please indicate corporate structure, including all parent companies, prior to the corporate transaction, and the corporate structure following the corporate transaction. The organization structure should include Trinity Health – New England and its four wholly-owned subsidiary companies and the JMH Acquisition Corporation. Please also provide a description of the relationship between Trinity Health – New England, Saint Francis Hospital and Medical Center (NRC License Number 06-00854-03), and Saint Francis Care, Inc.

5. Please 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.

The above information is taken from NUREG-1556, Volume 15, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Changes of Control and About Bankruptcy Involving Byproduct, Source, or Special Nuclear Material Licenses." The notice of the proposed sale was posted to the NRC's website on December 14 and, per 10 CFR 2.1305, the public has 30 days to provide comments for the NRC's consideration. Therefore, the NRC would provide approval no earlier than 30 days after December 14. If Johnson Memorial or Trinity's representatives have questions, please feel free to contact me. The NRC is only concerned that control of the license and licensed activities and materials are not transferred prior to NRC's written approval. Any aspect of the sale that does not affect control of the license can, of course, proceed without NRC's approval.

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov<<http://www.nrc.gov>>; select Nuclear Materials; Med, Ind, & Academic Uses; then Licensee Toolkits, see our toolkit index page. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 8:00 a.m. to 5:30 p.m. EST, Monday through Friday (except Federal holidays).

You may respond to my attention in writing by letter, email (if letter is signed by senior management and scanned into a pdf format), or fax (610-337-5269), referencing mail control number 589520. If we do not receive a reply from you within 30 days, we will assume that you do not wish to pursue your application.

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency's *expectations* for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web site at <http://www.nrc.gov/about-nrc/safety-culture.html>. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities."

Thank you for your cooperation. Please feel free to contact me by telephone or e-mail if you have any questions.

Sincerely,

Jan Nguyen

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