



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

April 10, 2017

David Hess, M.D., President and CEO
Reynolds Memorial Hospital, Inc.
800 Wheeling Avenue
Glen Dale, West Virginia 26038

**SUBJECT: REYNOLDS MEMORIAL HOSPITAL, INC. LICENSE AMENDMENT AND
CONSENT TO TRANSFER LICENSE, MAIL CONTROL NO. 592024**

Dear Dr. Hess:

By the letter dated November 17, 2016, Reynolds Memorial Hospital requested written consent by the U.S. Nuclear Regulatory Commission (NRC) to a proposed indirect transfer of control of NRC Materials License No. 47-08019-01. Based on the information you provided, we understand that this transfer request results from a merger between Reynolds Memorial Hospital, Inc. and West Virginia University Hospitals, Inc. On September 30, 2016, Reynolds Memorial Hospital System, Inc. (RMHS), Reynolds Memorial Hospital, Inc. (RMG) and West Virginia University Hospitals, Inc. (WVUH) entered an Agreement and Plan of Reorganization and Affiliation, pursuant to which (1) RMHS, the sole corporate member of RMH, merged with and into RMH, with RMH surviving the merger and (2) WVUH became the sole corporate member of RMH. As a result of this transaction, WVUH replaced RMHS as RMH's sole corporate member, but RMH retained its separate legal existence and corporate name. We understand that this transfer will not result in any change to the location of use, materials, persons using licensed material, or persons responsible for radiation safety at the licensed facility.

Prior to entering the Agreement, legal counsel from the NRC and WVUH agreed to the insertion of language in the definitive agreement between RMHS, RMH, and WVUH, which provided that WVUH would not exercise control over the materials license until such time as the NRC provides written consent to the indirect transfer of control of the license.

Based on the above understandings, and as more fully detailed in the enclosed NRC staff's Safety Evaluation Report, which documents the NRC staff's safety review of the request, and in accordance with 10 CFR § 30.34, 35.18, the NRC approves the proposed transfer of control.

An environmental assessment for this action has not been prepared by the NRC, because this action is categorically excluded under 10 CFR 51.22(c)(21). Please find enclosed Amendment 46 which removes Frank G. Diettiinger, M.D. as requested by letter dated September 19, 2016. Please contact Robert Gallagher at (610) 337-5182, or by e-mail at Robert.gallagher@nrc.gov, if you have any questions.

Please review the enclosed document and be sure that you understand and fully implement all the conditions of the amended license. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region I Office, Licensing Assistance Team, (610) 337-5239, so that we can provide appropriate corrections and answers.

Future changes in the licensee's name, licensed use, licensed materials, licensed location, or persons responsible for licensed material require submission of a request to amend the license. NRC approval must be received prior to implementation of the proposed change.

An electronic version of the NRC's regulations is available on the NRC Web Site at: www.nrc.gov. Additional information regarding medical uses of radioactive materials may be obtained on the NRC Web Site at: <http://www.nrc.gov/materials/miau/med-use-toolkit.html>. This site also provides the updated Training and Experience NRC Form 313A series of forms and guidance, as well as information on the revised regulations for naturally-occurring and accelerator-produced radioactive materials (NARM).

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web Site at: <http://www.nrc.gov/reading-rm/adams.html>.

You will be periodically inspected by the NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action(s) against you. This could include issuance of a Notice of Violation, or Imposition of a Civil Penalty, or an Order Suspending, Modifying or Revoking Your License as specified in the NRC Enforcement Policy. The NRC Enforcement Policy is available at: <http://www.nrc.gov/reading-rm/doc-collections/enforcement/>.

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 in this matter.

Sincerely,
/RA/
Robert Gallagher, Health Physicist
Medical Branch
Division of Nuclear Materials Safety
Region I

License No. 47-08019-01
Docket No. 030-03384
Mail Control No. 592024

Enclosures:

1. Amendment No. 46
2. Safety Evaluation Report

cc: Michael J. Maroney, M.D., Radiation Safety Officer

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SUNSI Review Complete: RGallagher

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NAME	RGallagher/RLG						
DATE	4/10/2017						