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DNMS

August 30, 2017

Via Email and Overnight Courier

Attn: Carol Hill
Licensing Assistant
US NRC Region IV
1600 East Lamar Blvd.
Arlington, Texas 76011
(e): carol.hill@nrc.gov

PUBLIC

- ☐ Immediate Release
☒ Normal Release

NON-PUBLIC

- ☐ A.3 Sensitive-Security Related
☐ A.7 Sensitive Internal
☐ Other: _____

Reviewer: RW Date: 9-13-17

Re: Siouxland Urology Center, LLC (License # 40-34223-01) proposed transfer of control

Dear Ms. Hill:

This letter is being sent to notify you that on or about **September 16, 2017**, Siouxland Surgery Center Limited Liability Partnership, d/b/a Dunes Surgical Hospital (License # 10580) (the "Transferee"), a specialized, physician-owned hospital located at 600 Sioux Point Road, Dakota Dunes, South Dakota 57049, is planning to acquire the above-referenced ambulatory surgery center, Siouxland Urology Center, LLC, located at 455 Sioux Point Road, Dakota Dunes, South Dakota 57049 (the "Transferor"), to convert the Transferor into an on-campus, provider-based outpatient surgery department of the Transferee. As part of this transaction the Transferee will be acquiring all or substantially all of the assets used in connection with the Transferor's Radioactive Materials License (License # 50-34223-01) issued by your office. In order to assess whether this is a transfer of control, I am providing you with the following information:

1. All or substantially all of the Transferor's assets, including those related to its Radioactive Materials License, will be acquired by **Siouxland Surgery Center, LLP d/b/a Dunes Surgical Hospital**. The Transferee's mailing address is 600 Sioux Point Road, Dakota Dunes, South Dakota 57049, and the appropriate contact person is Greg Miner, CEO, who may be reached at (605) 232-3332 or gminer@uspi.com.
2. Following the transaction, the Transferor will be operated as an outpatient provider-based surgery department of the Transferee. However, it will continue to be operated by the same clinical personnel and at the same high standards that it always has. Training programs will be consistent with those administered by the Transferee and NRC regulations.
3. There will be no change in the locations, facilities, equipment, radiation safety program, use, possession, waste management, or other procedures relating to the Radioactive Materials License as a result of this transaction.

August 30, 2017

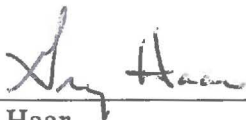
Page 2

4. There are no known contaminations of the facility nor are any decontamination efforts underway. All calibrations, leak tests, area surveys, wipe tests, training, quality control, and related records are current and in compliance with NRC standards.
5. This item is not applicable based on the types and quantities of radioactive materials authorized by the license.
6. All records concerning the safe and effective decommissioning of the facility will be transferred to the Transferee as part of the transaction. This includes documentation of surveys of ambient radiation levels and fixed and/or removable contamination, including methods and sensitivity.
7. Both Transferor and Transferee agree to transferring control of the licensed material and activity and the conditions of said transfer. The Transferee has been made aware of any open inspection items and its responsibility for possible resulting enforcement actions.
8. Transferee will abide by all constraints, conditions, requirements, representations, and commitments of the Transferor.
9. Not applicable. The license is not for a fuel cycle facility.

Thank you for your attention to this matter. If you should have any questions, or need any further information, please contact Alex Mills at alex.mills@wallerlaw.com or (615) 850-8131.

Sincerely,

Transferor:
Siouxland Urology Center, LLC



Greg Haar
Administrator

Transferee:
Siouxland Surgery Center, LLP d/b/a
Dunes Surgical Hospital



Greg Miner
CEO

earthsmart

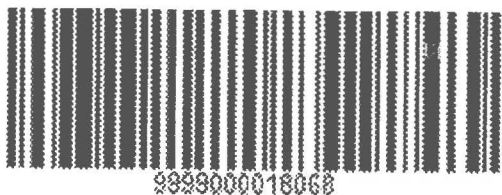
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FROM: Dunes Hospital
CARR: Federal Express
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TO: HILL, Carol
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ORIGIN ID: SUXA (712) 212-1007

DUNES SURGICAL HOSPITAL
600 N SIOUX POINT RD

DAKOTA DUNES, SD 57049
UNITED STATES US

SHIP DATE: 31AUG17
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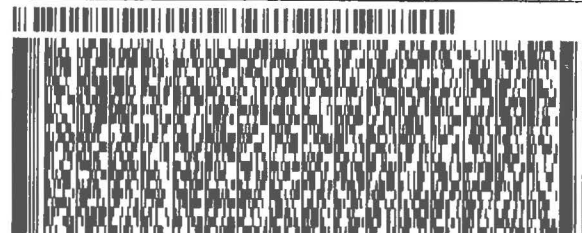
TO **ATTN: CAROL HILL — LICENSING**
US NRC REGION IV
1600 E LAMAR BLVD

ARLINGTON TX 76011

(000) 000-0000
THU:
PO:

REF:

DEPT:



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ACKNOWLEDGEMENT - RECEIPT OF CORRESPONDENCE

Name and Address of Applicant and/or Licensee

Dr. Gregory D. Naden
Siouxland Urology Center, LLC
455 Sioux Point Road
Dakota Dunes, South Dakota 57049

Date

09/12/2017

License Number(s)

40-34223-01

Mail Control Number(s)

600815

Licensing and/or Technical Reviewer or Branch

C. Hill, Licensing Assistant

This is to acknowledge receipt of your: ☒ Letter and/or ☐ Application Dated: 08/30/2017

The initial processing, which included an administrative review, has been performed.

☒ Amendment ☐ Termination ☐ New License ☐ Renewal

☐ There were no administrative omissions identified during our initial review.

☐ This is to acknowledge receipt of your application for renewal of the material(s) license identified above. Your application is deemed timely filed, and accordingly, the license will not expire until final action has been taken by this office.

☐ Your application for a new NRC license did not include your taxpayer identification number. Please complete and submit NRC Form 531, Request for Taxpayer Identification Number, located at the following link: <http://www.nrc.gov/reading-rm/doc-collections/forms/nrc531.pdf>

Follow the instructions on the form for submission.

☐ The following administrative omissions have been identified:

Your application has been assigned the above listed MAIL CONTROL NUMBER. When calling to inquire about this action, please refer to this control number. Your application has been forwarded to a technical reviewer. Please note that the technical review, which is normally completed within 180 days for a renewal application (90 days for all other requests), may identify additional omissions or require additional information. If you have any questions concerning the processing of your application, our contact information is listed below:

Region IV
U. S. Nuclear Regulatory Commission
DNMS/NMSB - B
1600 E. Lamar Boulevard
Arlington, TX 76011-4511
(817) 200-1209 or (817) 200-1140

✓ 9/12

BETWEEN:

Accounts Receivable/Payable
and
Regional Licensing Branches

[FOR ARPB USE]
INFORMATION FROM WBL

Program Code: 02200
Status Code: Pending Amendment
Fee Category: 7C
Exp. Date: 11/30/2025
Fee Comments:
Decom Fin Assur Req'd: N

License Fee Worksheet - License Fee Transmittal

A. REGION

1. APPLICATION ATTACHED

Applicant/Licensee: Siouxland Urology Center, LLC
Received Date: 09/05/2017
Docket Number: 3036922
Mail Control Number: 600815
License Number: 40-34223-01
Action Type: Amendment

2. FEE ATTACHED

Amount: _____

Check No.: _____

3. COMMENTS

Signed: _____

Date: _____

Carl R. Huie
9/12/17

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered / /)

1. Fee Category and Amount: _____

2. Correct Fee Paid. Application may be processed for:

Amendment: _____

Renewal: _____

License: _____

3. OTHER _____

Signed: _____

Date: _____

Hill, Carol

From: Alex Mills <Alex.Mills@wallerlaw.com>
Sent: Wednesday, September 13, 2017 10:13 AM
To: Cook, Jackie; Hill, Carol
Subject: [External_Sender] Radioactive Materials License #40-34223-01 Transfer

Good morning Jackie,

It was nice speaking with you yesterday. Thank you so much for your quick response and guidance. I am writing this morning to follow up on our conversation. First, I would like to formally request that you expedite our license transfer request for the following reasons: (1) Siouxland Urology Center, LLC will be acquired by Dunes Surgical Hospital on 9/15 (with an effective date of 9/16) and from that point forward it will be operated as an outpatient provider-based department of the hospital; and (2) the facility is scheduled to provide a patient with procedure on 9/29, which will require radioactive materials. I have been informed that the radioactive materials for this procedure will need to be ordered about 10 days in advance (which would be after the change of ownership occurs), and we want to ensure that the Hospital is able to order these essential materials following the acquisition. Our primary concern is that we are able to avoid any disruption in patient services, with a secondary consideration that we would like to avoid any delays in closing the transaction effective 9/16.

During our conversation yesterday you indicated that if I provided you with a request in writing, you might be able to somewhat expedite the license transfer process. You also indicated that even if the transfer of license process was not entirely completed, that this should not interrupt either our ability to offer needed medical services to our patients or our ability to close out the transaction by virtue of the fact that we have provided you with the transfer request in advance of the transaction signed by both the transferor and transferee. If you could provide me with written confirmation of these points so that I can pass them along to the interested parties, it would be greatly appreciated. Thank you again for all of your assistance with this matter.

Best,

Alex Mills

Associate

waller

Waller Lansden Dortch & Davis, LLP

511 Union Street, Suite 2700

Nashville, TN 37219

615.850.8131 | 859.230.4381 mobile

alex.mills@wallerlaw.com

vCard

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