



**UNITED STATES**  
**NUCLEAR REGULATORY COMMISSION**  
REGION I  
475 ALLENDALE ROAD – SUITE 102  
KING OF PRUSSIA, PA 19406-1415

March 29, 2023

Justus Smith  
Chief Executive Officer  
Plateau Medical Center  
430 Main Street East  
Oak Hill, WV 25901-2136

SUBJECT: PLATEAU MEDICAL CENTER, ACCEPTANCE OF NOTIFICATION OF  
TRANSFER OF CONTROL, MAIL CONTROL NO. 634332

Dear Mr. Smith:

By letter dated January 27, 2023 (Agencywide Documents Access and Management System (ADAMS) Accession Number ML23031A192), Plateau Medical Center submitted to the U.S. Nuclear Regulatory Commission (NRC) a request for written consent to a direct transfer of control of NRC Materials License number 47-25469-01. In accordance with Section 184 of the Atomic Energy Act of 1954, as amended (AEA), and 10 CFR 30.34, the NRC consents to the transfer.

Plateau Medical Center is authorized by the NRC for the possession and use of byproduct material under Part 30. By letter dated January 27, 2023, Plateau Medical Center requested written consent to the direct transfer of control of its license from the NRC. Because the license was issued under 10 CFR Part 30, "Rules of General Applicability to Domestic Licensing of Byproduct Material," the NRC must find that the transfer is in accordance with the provisions of the AEA and, if so, must give its consent in writing prior to the transfer, in accordance with Section 184 of the AEA and 10 CFR 30.34(b). Additionally, the NRC staff reviewed the direct transfer of control request using the guidance in NUREG-1556, Volume 15, Revision 1, "Consolidated Guidance About Materials Licenses – Guidance About Changes of Control and About Bankruptcy Involving Byproduct, Source, or Special Nuclear Materials Licenses," dated June 2016.

10 CFR 30.34(b) states:

- (1) No license issued or granted pursuant to the regulations in Part 30 through 36, and 39 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.
- (2) An application for transfer of license must include:
  - (i) The identity, technical and financial qualifications of the proposed transferee; and
  - (ii) Financial assurance for decommissioning information required by 10 CFR 30.35.

As described in ADAMS package accession number ML23031A163, the direct transfer of control will result from a purchase agreement between CHS/Community Health Systems, Inc. (CHS) and CAMC Plateau Medical Center, Inc. (CAMC PMC) in which CAMC PMC will be acquiring substantially all of the assets of the license from CHS. The NRC staff finds that the licensee request adequately provides a complete and clear description of the proposed transaction, consistent with 10 CFR 30.34(b) and Chapter 5 and Appendix E of NUREG-1556, Vol. 15, Rev. 1. The sufficiency of the description is evaluated below.

The request for a direct transfer of ownership was posted for public comment on the NRC website for 30 days in accordance with 10 CFR Part 2, Subpart M and as described in NRC's Regulatory Issue Summary 2014-08, Revision 1. No comments were received from members of the public.

Based on the information provided, Plateau Medical Center is not required to have financial assurance for decommissioning because of the types and amount of material authorized in its license.

Further, the NRC conducted an inspection of Plateau Medical Center on August 5, 2021, at 430 Main Street East, Oak Hill, West Virginia. The NRC identified no violations.

Additionally, as described in its request, CAMC Plateau Medical Center, Inc. commits that it:

- A. will not change the radiation safety officer listed in the NRC license;
- B. will not change the personnel involved in licensed activities;
- C. will not change the locations, facilities, and equipment authorized in the NRC license;
- D. will not change the radiation safety program authorized in the NRC license; and
- E. will keep regulatory required surveillance records and decommissioning records.

CAMC Plateau Medical Center, Inc. will change the organization's name listed in the NRC license to CAMC Plateau Medical Center, Inc. d/b/a Plateau Medical Center once the transaction has been completed.

Based on these commitments, the NRC staff finds that the licensee request adequately documents the constraints, license conditions, requirements, representations, and commitments made by the transferee, consistent with 10 CFR 30.34(b) and Chapter 5 and Appendix E of NUREG-1556, Vol. 15, Rev. 1.

CAMC Plateau Medical Center, Inc. is a known entity because its parent company, Charleston Area Medical Center, Inc. (CAMC) has two NRC medical licenses (NRC License No. 47-15473-01 and 47-15473-02MD). In addition, CAMC also owns two other NRC medical licensees, CAMC Cardiology – Beckley (NRC License No. 47-30903-01) and CAMC Greenbrier Valley Medical Center (NRC License No. 47-17199-01). The NRC staff used the guidance provided by the NRC's Office of Nuclear Material Safety and Safeguards' "Checklist to provide a basis for confidence that radioactive materials will be used as specified on the application," January 29, 2019 revision. The purpose of this checklist is for the NRC to obtain reasonable assurance from new license applicants or NRC licensees transferring control of licensed activities that the licensed material will be used for its intended purpose and not for malevolent use. Therefore, for security purposes, CAMC Plateau Medical Center, Inc. is considered a known entity because its parent company, CAMC, has two NRC licenses, and owns two other NRC medical licensees.

An environmental assessment for this action is not required because this action is categorically excluded under 10 CFR 51.22(c)(21).

The staff has reviewed the request for a direct transfer of control of 47-25469-01. The NRC staff finds that the direct transfer of control is in accordance with Section 184 of the AEA and 10 CFR 30.34(b) and consents to the transfer. Please note that you will need to notify us promptly, in writing, after the transaction has been finalized and include a signed copy of the sales agreement confirming completion of the transaction. At that time, you may request to amend your license for a name change. If this planned sale has not been consummated within 30 days of the date of this letter, please notify us in writing.

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

In accordance with 10 CFR 2.390, a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC website at <https://www.nrc.gov/reading-rm/adams.html>. If you have any questions regarding this letter, please contact Janice Nguyen at (610) 337-5006 or via electronic mail at [janice.nguyen@nrc.gov](mailto:janice.nguyen@nrc.gov).

J. Smith

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Thank you for your cooperation in this matter.

Sincerely,

Janice Nguyen, Senior Health Physicist  
Medical and Licensing Assistance Branch  
Division of Radiological Safety and Security  
Region I

License No. 47-25469-01

Docket No. 030-35028

Mail Control No. 634332

cc: Joseph L. Skeens, M.D., Radiation Safety Officer  
Noah Kevin Meadows, Imaging Director

PLATEAU MEDICAL CENTER, ACCEPTANCE OF NOTIFICATION OF TRANSFER OF CONTROL, MAIL CONTROL NO. 634332 DATED MARCH 29, 2023

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