

From: [Jan Nguyen \(She/Her\)](#)
To: jnorweck@radiology-inc.com
Cc: [Tim Martin \(Tim.Martin@chhi.org\)](mailto:Tim.Martin@chhi.org)
Subject: NRC Request for Additional Information for Cabell Huntington Hospital (Mail Control Number 636939)
Date: Monday, September 25, 2023 6:43:00 PM

Licensee: Cabell Huntington Hospital
License No.: 47-00404-02
Docket No.: 030-03370

Control No.: 636939

PLEASE CONFIRM RECEIPT OF THIS REQUEST FOR ADDITIONAL INFORMATION BY RETURN EMAIL

Dear Mr. Norweck:

This is in reference to your letter dated August 28, 2023, regarding an indirect transfer of control of Nuclear Regulatory Commission License No. 47-00404-02. In order to continue our review, please provide the following additional information:

1. Please confirm that both transferor and transferee agree to transferring control of the licensed material and activity, and the conditions of the transfer.

While we understand that Cabell Huntington Hospital, Inc. (CHHI) will remain in operational control of the licensed material and activity, Mountain Health Network, Inc. (MHN) can still make legal and/or administrative decisions that could impact CHHI's radiation safety program. As such, please confirm the statement above.

2. It appears that MHN will also become the sole corporate member of University Physicians & Surgeons, Inc. (UP&S).

Please confirm that CHHI will not be performing NRC licensed activities at new locations such as UP&S as a result of this transaction.

3. To confirm known entity status of MHN, which will eventually become Marshall Health Network, Inc. and the sole corporate member of CHHI, please provide documentation to show that MHN has other NRC or Agreement State licenses and/or state-issued x-ray registrations.

The above information is taken from NUREG-1556, Volume 15, Revision 1, "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 indirect transfer of control was posted to the NRC's website on September 1, 2023, and per 10 CFR 2.1305, the public has 30 days to provide comments for the NRC's consideration. Since October 1, 2023 is a Sunday, the posting for public comment will not be removed until Monday, October 2, 2023. Please note that the earliest date that the transfer of control will be approved is Monday, October 2, 2023, but it may be later.

Please contact me with any questions. We will continue our review upon receipt of the requested information. 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 636939. Please submit a reply within 30 days. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5006.

Current NRC regulations and guidance are included on the NRC's website at 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).

Thank you in advance for your help!

Jan

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