



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION III
2056 WESTINGS AVENUE, SUITE 400
NAPERVILLE, IL 60563-2657

June 27, 2025

Frederick Badalpoor, CNMT
Radiation Safety Officer
Insight Hospital & Medical Center Coldwater
274 E. Chicago St.
Coldwater, MI 49036

SUBJECT: ACCEPTANCE OF NOTIFICATION OF INDIRECT TRANSFER OF
CONTROL OF PROMEDICA COLDWATER REGIONAL HOSPITAL,
MAIL CONTROL NO. 644280

Dear Mr. Badalpoor:

Enclosed is Amendment No. 27 to your NRC Materials License No. 21-16642-01, in accordance with request dated November 25, 2024, documenting the transfer of control and naming you the Radiation Safety Officer.

By letter dated November 25, 2024 (Agencywide Documents Access and Management System (ADAMS) accession no. ML24332A084), Promedica Coldwater Regional Hospital ("ProMedica") submitted to the U.S. Nuclear Regulatory Commission (NRC) information that was determined to constitute an indirect transfer of control of NRC Materials License No. 21-16642-01. 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.

ProMedica is authorized by the NRC for the possession and use of byproduct material under Part 30. By letter dated November 25, 2024, ProMedica requested written consent to the indirect transfer of control of its license by a member substitution with the Firdaus Foundation d/b/a Insight Foundation of America ("Insight"). 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 indirect transfer of control request using the guidance in NUREG-1556, Volume 15, Rev. 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 Parts 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; and,

- (2) An application for transfer of license must include:
- (a) The identity, technical and financial qualifications of the proposed transferee; and
 - (b) Financial assurance for decommissioning information required by 10 CFR 30.35.

The transaction was completed on December 1, 2024 (see ML25129A008). As described in ADAMS accession no. ML24332A084, dated November 25, 2024, the indirect transfer of control resulted from a member substitution of ProMedica for Insight. The licensee, ProMedica, was the sole corporate member and now after the member substitution, Insight is the sole corporate member. 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 an indirect 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, Rev. 1. No comments were received from members of the public.

In the request for an indirect transfer of ownership, ProMedica provided information regarding its current decommissioning funding plans. Based on the information provided, the licensee is not required to have financial assurance for decommissioning because of the types and amount of material authorized in its license. The NRC staff finds that the licensee's request adequately provided information for financial assurance for decommissioning, consistent with 10 CFR 30.34(b) and Chapter 5 and Appendix E of NUREG-1556, Vol. 15, Rev. 1.

The NRC conducted an inspection at the licensee's location in Coldwater, Michigan on April 20, 2023, and no violations were identified.

Additionally, as described in its request, ProMedica committed that it:

- A. will not change other personnel involved in licensed activities;
- B. will not change the locations, facilities, and equipment authorized in the NRC license;
- C. will not change the radiation safety program authorized in the NRC license;
- D. will not change the organization's name listed in the NRC license; and
- E. will maintain required surveillance records and decommissioning records as required by NRC regulations.

The only substantive changes due to the transaction was a name change ("Insight Hospital & Medical Center Coldwater") and change in the Radiation Safety Officer, both of which were properly documented and approved.

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.

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. The NRC staff confirmed that Insight has licenses for similar activities in the Agreement States of Ohio and Illinois. Therefore, for security purposes, Insight is considered a known entity because it holds licenses for similar activities in those states.

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 an indirect transfer of control of License No. 21-16642-01. The NRC staff finds that the indirect transfer of control is in accordance with Section 184 of the AEA and 10 CFR 30.34(b) and consents to the transfer.

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.

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/regulatory/enforcement/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.

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 Bryan Parker at 678-828-7050 or via electronic mail at bryan.parker@nrc.gov.

Sincerely,

Bryan A. Parker
Senior Health Physicist
Materials Licensing Branch

License No. 21-16642-01
Docket No. 030-11390

Enclosure: Amendment No. 27