

**SAFETY EVALUATION REPORT
PROPOSED CHANGE OF CONTROL FOR BYPRODUCT MATERIALS LICENSE
NUMBER 24-01381-01, ST. ALEXIUS HOSPITAL**

DATE: August 14, 2019

DOCKET NO.: 030-02303

LICENSE NO.: 24-01831-01

LICENSEE: St. Alexius Hospital
3933 S. Broadway
St. Louis, MO 63118

TECHNICAL REVIEWER: Daniel C. Strohmeyer

SUMMARY AND CONCLUSIONS

St. Alexius Hospital (St. Alexius) is authorized by Nuclear Regulatory Commission (NRC) Materials License No. 24-01381-01 for the possession and use of byproduct material for purposes of nuclear medical diagnostics. The U.S. Nuclear Regulatory Commission (NRC) staff reviewed a request for consent to an indirect license transfer submitted by St. Alexius that will result from a stock purchase between St. Alexius and Americore Holdings, LLC (Americore). Americore acquired Success Healthcare Corp #2, which owns 100% of St. Alexius. The indirect transfer of control is described in Agency Documents Access and Management System (ADAMS) accession number ML19095B195 and the completion of the sale, dated March 8, 2018, is described in ML19205A308.

The request for consent was reviewed by NRC staff for indirect change in control of a 10 CFR Part 30 license 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." The NRC staff finds that the information submitted by St. Alexius sufficiently describes and documents the transaction and commitments made by St. Alexius and Americore.

As required by 10 CFR 30.34 and section 184 of the Atomic Energy Act of 1954, as amended (the Act), NRC staff has reviewed the application and finds that the proposed change in control is in accordance with the Act. The staff finds that, after the change of control, St. Alexius will remain qualified to use byproduct material for the purpose requested, and will continue to have the equipment, facilities, and procedures needed to protect public health and safety, and promotes the security of licensed material.

SAFETY AND SECURITY REVIEW

According to data obtained from the NRC's Web Based Licensing System (WBL), St. Alexius has been an NRC licensee since November 8, 1956. The NRC conducted a main office inspection of St. Alexius on April 26, 2018 with no violations identified. The commitments made by St. Alexius and Americore state that St. Alexius (License No. 24-01381-01):

- 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;
- E. will not change the organization's name listed in the NRC license; and
- F. will keep regulatory required surveillance records and decommissioning records.

Americore has another license in the State of Pennsylvania, Elwood City Hospital of Pennsylvania 0(PA-04860), and has equivalent uses of nuclear material as St. Alexis. Therefore, for security purposes, Americore is considered a known entity following the guidance provided by the NRC's Office of Federal and State Materials and Environmental Management Programs (FSME) 'Checklist to provide a basis for confidence that radioactive materials will be used as specified on the license', September 3, 2008 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.

St. Alexis is not required to have decommissioning financial assurance based on the types and amount of material authorized in License No. 24-01381-01

REGULATORY FRAMEWORK

St. Alexis' License No. 24-01381-01, was issued under 10 CFR Part 30, Rules of General Applicability to Domestic Licensing of Byproduct Material. The Commission is required by 10 CFR 30.34 to determine if the change of control is in accordance with the provisions of the Act and give its consent in writing.

10 CFR 30.34(b) states: "No license issued or granted pursuant to the regulations in this part and parts 31 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."

As previously indicated, the staff evaluation is based on guidance in NUREG-1556, Volume 15, Revision 1. As discussed in NUREG-1556, Volume 15, Revision 1, NRC is generally using the term "change of control" rather than the statutory term "transfer" to describe the variety of events that could require prior notification and written consent of the NRC. The central issue is whether the authority over the license has changed. St. Alexis' request for consent describes indirect change of control resulting from a planned result from a stock purchase between St. Alexis and Americore Holdings, LLC (Americore). Americore acquired Success Healthcare Corp #2, which owns 100% of St. Alexis. and, as such, the transfer requires NRC consent.

DESCRIPTION OF TRANSACTION

The transaction is described in ADAMS accession number ML19205A308. After completion of the merger, St. Alexis will continue as the licensee and remain in control of all licensed

activities under Materials License No. 24-01381-01 The NRC staff finds that the request for consent adequately provides a complete and clear description of the transaction and is consistent with the guidance provided in Appendix E of NUREG-1556, Volume 15, Revision 1.

TRANSFeree'S COMMITMENT TO ABIDE BY THE TRANSFEROR'S COMMITMENTS

The NRC staff finds that the information submitted by St. Alexius sufficiently describes and documents the commitments made by St. Alexius and Americore and is consistent with the guidance in NUREG-1556, Volume 15, Revision 1.

ENVIRONMENTAL REVIEW

An environmental assessment for this action is not required since this action is categorically excluded under 10 CFR 51.22(c)(14).

CONCLUSION

The staff has reviewed the request for consent submitted by both parties with regard to an indirect change of control of byproduct materials license No. 24-01381-01 and approves the application pursuant to 10 CFR 30.34(b).

The submitted information sufficiently describes the transaction; documents the understanding of the license and commitments; demonstrates that personnel have the experience and training to properly implement and maintain the license and that they will maintain the existing records; And, in the future, will abide by all existing commitments to the license, consistent with the guidance in NUREG-1556, Volume 15, Revision 1.

Therefore, the staff concludes that the proposed change in control would not alter the previous findings, made under 10 CFR Part 30, that licensed operations will not be inimical to the common defense and security, or to the health and safety of the public.