



June 22, 2020

VIA FEDEX

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

RE: "Reply to a Notice of Violation"

Rocky Mountain Oncology Center, LLC

**Docket: 03037415
License: 49-29254-01
Control No.: 616904**

To Whom It May Concern:

We are in receipt of a Notice of Violation dated May 14, 2020, in connection with the NRC's review of a change of control/indirect change of ownership of the above-referenced entity on June 24, 2019. Please accept this letter as a written statement to the U.S. NRC.

- (1) **The reason for the violation:** We acknowledge that you have informed us that we committed one (1) Severity Level IV violation, in accordance with the NRC Enforcement Policy, by our failure to obtain the NRC's consent in writing prior to proceeding with a change of control/indirect change of ownership on June 24, 2019. Secondly, we acknowledge that by failing to give sixty (60) days advance notice and obtaining consent, the NRC was not allotted adequate time to carry out its regulatory processes for ensuring that licensed materials are adequately secured, thereby ensuring the public health and safety and the environment are protected. Thirdly, we acknowledge that Wyoming is an NRC state, and as such, our facility is required to provide the NRC with sixty (60) days advance notifications of any transaction that may involve a change of control or similar. As discussed via conference call with you, our intent is to comply with the established notice period timelines regarding any future transactions; however, given the unique nature, timing and confidentiality of such transactions sixty (60) days advance notice may not always be achievable.
- (2) **The corrective steps that have been taken and the results achieve:** Our intention is to always be compliant with all applicable NRC regulatory guidelines. Please accept this response as assurance that we will strive to meet the regulation of providing timely notification and seeking the NRC's consent before proceeding with any future transactions that may involve a change of control/indirect change of ownership. In addition, in order to demonstrate evidence of our good-faith intentions to utilize our Wyoming radioactive license permit in a lawful manner, and similarly the Commission agrees to discontinue regulatory authority over a specific category of materials, I have enclosed a copy of a California Radioactive Material License, #6964-36, Amendment 20, in the name of Mojave Radiation Oncology, LLC. By providing a copy of our aforementioned California permit, we acknowledge that we have satisfied this requirement.



- (3) **The corrective steps that will be taken:** In the event of any future transactions that may involve a change of control/indirect change of ownership, we will immediately notify the NRC to provide timely notification and to seek pre-approval of any types of transactions that involve a form of change of control.
- (4) **The date when full compliance will be achieved:** Full compliance was initiated immediately upon receipt of the Letter of Violation dated May 14, 2020.

If you have any further questions, please feel free to reach out to me via email at rrhymer@ionetwork.com.

Sincerely,

Robert B. Rhymer
Chief Clinical Operations Officer
EVP of Human Resources

Cc: Michelle M. Hammond, M.Sc., Health Physicist
Materials Licensing and Decommissioning Branch
Region IV-Division of Nuclear Materials Safety
1600 East Lamar Boulevard
Arlington, Texas 76011-4511

Stuart Bitting
Chris Burgess
Michael Fernald
Jeanean Foster