

From: [Torres, Roberto](#)
To: bob.bellomy@bannerhealth.com
Subject: NRC request for additional information
Date: Monday, September 20, 2021 12:37:00 PM
Attachments: [Wyoming Medical Center change of control notification.pdf](#)

Bob Bellomy, Director of Imaging Services:

The Nuclear Regulatory Commission (NRC) has received the enclosed letter dated August 27, 2021, signed by Rachel Bryant, Chief Operating Officer, informing the change of control of NRC license 49-00152-02 (docket number 030-03495) issued to Wyoming Medical Center, and additional information is needed as described below. Please provide a response in a signed and dated letter in licensee's letterhead within 30 days and make reference to mail control number 628309.

1. Provide a description of the business transaction involving both NRC license 49-00152-02 (Main Campus) and NRC license 49-29379-01 (East Campus). Describe any planned changes in the organization, including but not limited to, transfer of stocks or assets and mergers, change in members on Board of Directors, etc. Provide the new licensee name, mailing address, and contact information, including phone numbers.
2. Provide the proposed or actual date of the transaction.
3. Provide a pre-transaction organizational chart identifying:
 - A) Parent company,
 - B) NRC license 49-00152-02 (Main Campus), and
 - C) NRC license 49-29379-01 (East Campus).
4. Provide a post-transaction organizational chart identifying:
 - A) Parent company,
 - B) NRC license 49-00152-02 (Main Campus), and
 - C) NRC license 49-29379-01 (East Campus).
5. Describe any changes in personnel or duties that relate to the licensed program of NRC license 49-00152-02 and NRC license 49-29379-01. Include training and experience for new personnel and any changes in the training program.
6. Describe any changes in the location, facilities, equipment, radiation safety program, use, possession, waste management, or other procedures that relate to the licensed program of NRC license 49-00152-02 and NRC license 49-29379-01.
7. Describe the status of the licensee's facilities, equipment, and radiation safety program, including any known contamination and whether decontamination will occur prior to the transfer of NRC license 49-00152-02 and NRC license 49-29379-01. Include the status of calibrations, leak tests, area surveys, wipe tests, training, quality control, and related records.

8. Confirm that all records concerning the safe and effective decommissioning of the facility will be transferred to the transferee or to NRC, as appropriate, for NRC license 49-00152-02 and NRC license 49-29379-01. These records include documentation of surveys of ambient radiation levels and fixed and/or removable contamination, including methods and sensitivity.
9. For NRC license 49-00152-02 and NRC license 49-29379-01, confirm that both transferor (seller) and transferee (buyer) agree to transferring control of the licensed material and activity, and the conditions of transfer, and that the transferee has been made aware of any open inspection items and its responsibility for possible resulting enforcement actions.
10. For NRC license 49-00152-02 and NRC license 49-29379-01, confirm that the transferee will abide by all constraints, conditions, requirements, representations, and commitments of the transferor or that the transferee will submit a complete description of the proposed licensed program.
11. Provide written documents demonstrating that Banner Health Corporation, 2901 N. Central Avenue, Suite 160, Phoenix, Arizona 85012, is a legal entity. Some examples of these documents are NRC or Agreement State issued radioactive materials license, or non-radioactive material license, registration or authorization issued by the State or Federal government.

Thank you for your cooperation.

Roberto J. Torres, M.S.
Senior Health Physicist
U.S. Nuclear Regulatory Commission, Region IV
1600 East Lamar Boulevard
Arlington, TX 76011-4511
817-200-1189



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Wyoming Medical Center
1233 E 2nd Street
Casper, Wyoming 82601
1-800-822-7201
bannerhealth.com

8/27/2021

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To all concerned:

This request is in regard to a formal Change of Control for Wyoming Medical Center's Nuclear Medicine NRC license. Physically located at 1233 E 2nd Street, Casper, Wyoming 82607, Wyoming Medical Center is requesting transfer of control to be assigned to Banner Health Corporation located at 2901 N Central Ave Ste 160, Phoenix, AZ 85012.

There is not any change of physical assets or location thereof, only the parent company is changing control through an acquisition and merger. All communication and necessary correspondence must continue to be sent to the Wyoming Medical Center address. Please find the provided "Information Needed for Transfer of Control Application" for the completed request.

For clarity purposes, the parent owner is Banner Health, the licensee address is to maintain at Banner Health Wyoming Medical Center: 1233 E 2nd Street, Casper, Wyoming 82607, **License Number 49-00152-02.**

If you should have any further needs, please reach out to Bob Bellomy, Director of Imaging Services, at 307-577-4370 or via email Bob.Bellomy@bannerhealth.com.

Best Regards,

Rachel Bryant MBA, RN
Chief Operating Officer
Banner Wyoming Medical Center
Rachel.Bryant@bannerhealth.com
(Office) 307-577-2429



RECEIVED
08/27/2021

Wyoming Medical Center
1233 E 2nd Street
Casper, Wyoming 82601
1-800-822-7201
bannerhealth.com

49-00152-02

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(undated)

To all concerned:

This request is in regard to a formal Change of Control for Wyoming Medical Center's Nuclear Medicine NRC license. Physically located at 1233 E 2nd Street, Casper, Wyoming 82601, Wyoming Medical Center is requesting transfer of control to be assigned to Banner Health Corporation located at 2901 N Central Ave Ste 160, Phoenix, AZ 85012.

There is not any change of physical assets or location thereof, only the parent company is changing control through an acquisition and merger. All communication and necessary correspondence must continue to be sent to the Wyoming Medical Center address. Please find the provided "Information Needed for Transfer of Control Application" for the completed request.

For clarity purposes, the parent owner is Banner Health, the licensee address is to maintain at Banner Health Wyoming Medical Center: 1233 E 2nd Street, Casper, Wyoming 82601.

If you should have any further needs, please reach out to Bob Bellomy, Director of Imaging Services, at 307-577-4370 or via email Bob.Bellomy@bannerhealth.com.

Best Regards,

Rachel Bryant MBA, RN
Chief Operating Officer
Banner Wyoming Medical Center
Rachel.Bryant@bannerhealth.com
(Office) 307-577-2429



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION IV
1600 E. LAMAR BLVD.
ARLINGTON, TX 76011-4511

**Change of Control and/or Change of Ownership
(Includes Change of Name)**

10 CFR 30.34(b) states that "no license issued or granted pursuant to the regulations...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...find that the transfer is in accordance with the provisions of the Act and shall give its consent in writing. Although not specifically addressed by 10 CFR 30.34, licensees undergoing a name change may also be affected by this regulation.

Control over licensed activities can be construed as the authority to decide when and how a license (licensed material and/or activities) will be used. A change of ownership may be an example of a change of control. The central issue is whether the authority over the license has changed. In all cases, determining whether a change of control has taken place or whether a change is in name only is the Commission's responsibility.

Licensees must notify the Commission when they are undergoing a possible change of control and/or a change of name. While this notification is not required within a certain time frame, NRC needs adequate time to review the submittal to ensure that the transfer is in accordance with the regulations.

For further information, see Regulatory Issue Summary (RIS) 2014-08, Revision 1, "Regulatory Requirements for Transfer of Control (Change of Ownership) of Specific Materials Licenses," dated May 5, 2016 (Agencywide Documents Access and Management System Accessions No. ML15181A223) (<https://www.nrc.gov/docs/ML1518/ML15181A223.pdf>). Please note that this document clarifies that all transfer of control applications or requests for specific materials licensees will be posted to the NRC public website for 30 days. This RIS can also be found on the NRC's Generic Communications Web page under "Regulatory Issue Summaries" at <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/>.

In order to process your request for a change of control/ownership and/or a name change, the information on the following pages is required. My email address is Jackie.Cook@nrc.gov. If you have any questions regarding our previous discussion or this email, please contact me. When responding to this email, please include the license, docket, and mail control numbers, located on the cover page. Thank you.

Information Needed for Transfer of Control Application
(Includes Change of Name)
Source: NUREG-1556, Volume 15, Rev. 1

Include a contact name and either U.S. Nuclear Regulatory Commission (NRC) regional office or Headquarters telephone numbers for follow-up information, as required.

NRC Region: IV
Telephone: (307) 577-4370

Contact: Banner Health Wyoming Medical Center
Fax: (307) 577-2144

Definitions:

Control: Control of a license is in the hands of the person or persons who are empowered to decide when and how that license will be used. That control is to be found in the person or persons who, because of ownership or authority explicitly delegated by the owners, possess the power to determine corporate policy and, thus, the direction of the activities under the license.

Transferee: A transferee is an entity that proposes to purchase or otherwise gain control of an NRC-licensed operation.

Transferor: A transferor is an NRC licensee selling or otherwise giving up control of a licensed operation.

Information Needed for Transfer of Control

Licensees must provide full information and obtain NRC's ***prior written consent*** before transferring control of the license. Provide the following information concerning changes of control by the applicant (transferor and/or transferee, as appropriate). **If any items are not applicable, so state.**

1. Describe any planned changes in the organization, including but not limited to, transfer of stocks or assets and mergers, change in members on Board of Directors, etc. Provide the new licensee name, mailing address, and contact information, including phone numbers. **Clearly identify when the amendment request is due to a name change only.**
2. Describe any changes in personnel or duties that relate to the licensed program. Include training and experience for new personnel and any changes in the training program.
3. Describe any changes in the location, facilities, equipment, radiation safety program, use, possession, waste management, or other procedures that relate to the licensed program.

4. Describe the status of the licensee's facilities, equipment, and radiation safety program, including any known contamination and whether decontamination will occur prior to transfer. Include the status of calibrations, leak tests, area surveys, wipe tests, training, quality control, and related records.
5. If current decommissioning funding plans (DFP) will be changed as a result of the transfer, the revised DFP should be submitted. If other financial assurance documents will be changed as a result of the transfer, confirm that all financial assurance instruments associated with the license will be held in the transferee's name before the license is transferred, and as required by 10 CFR 30.35(f), the licensee must, within 30 days, submit financial instruments reflecting such changes.
6. Confirm that all records concerning the safe and effective decommissioning of the facility will be transferred to the transferee or to NRC, as appropriate. These records include documentation of surveys of ambient radiation levels and fixed and/or removable contamination, including methods and sensitivity.
7. Confirm that both transferor and transferee agree to transferring control of the licensed material and activity, and the conditions of transfer, and that the transferee has been made aware of any open inspection items and its responsibility for possible resulting enforcement actions.
8. Confirm that the transferee will abide by all constraints, conditions, requirements, representations, and commitments of the transferor or that the transferee will submit a complete description of the proposed licensed program.
9. The transferee, in the case of fuel cycle facilities, shall provide documentation showing that it is financially qualified to conduct normal operations. The information can be in the form of income statements and balance sheet forecasts.

From: [Torres, Roberto](#)
To: ["bob.bellomy@bannerhealth.com"](mailto:bob.bellomy@bannerhealth.com)
Subject: Termination of NRC license 49-29379-01 (East Campus)
Date: Monday, September 20, 2021 3:02:00 PM
Attachments: [nrc314.pdf](#)

Mr. Bellomy:

Please keep in mind that the NRC became aware that Wyoming Medical Center (East Campus), NRC license number 49-29379-01, stopped operations in March 2021, and according to NRC regulations the licensee has up to 24 months to request license termination. Steps to follow to submit a license termination request.

1. Complete the attached NRC Form 314.
2. Provide inventory list of all the sources that were stored under license 49-29379-01 and copies of the most recent leak test results for all these sources. Provide transfer and/or disposal records for all these sources.
3. Provide final status survey (ambient radiation surveys and wipe tests) of all the storage and use areas under license 49-29379-01.
4. Submit all this information to our licensing assistant carol.hill@nrc.gov.

Thank you for your cooperation.

Roberto J. Torres, M.S.
Senior Health Physicist
U.S. Nuclear Regulatory Commission, Region IV
1600 East Lamar Boulevard
Arlington, TX 76011-4511
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