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December 22, 2022

VIA ELECTRONIC MAIL

U.S. Nuclear Regulatory Commission, Region I

Attn: Robin Elliott

2100 Renaissance Blvd., Suite 100

King of Prussia, PA 19406-2713

[robin.elliott@nrc.gov](mailto:robin.elliott@nrc.gov)

Mail Control No. 633449

RE: Thomas Health System, Inc.  
Materials License No. 47-17745-01

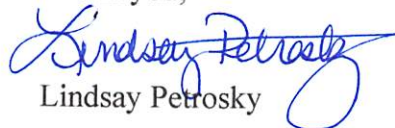
Ms. Elliott:

The purpose of this letter is to resubmit the transfer of control materials with the additional information requested in your correspondence dated December 12, 2022. The original correspondence dated September 12, 2022 was submitted to advise you that Thomas Health System, Inc. ("Thomas Health System") were negotiating an Agreement and Plan of Affiliation pursuant to which West Virginia United Health System, Inc. d/b/a West Virginia University Health System ("WVUHS") will become the sole corporate member of Thomas Health System on or about January 1, 2023 (the "Transaction"). The agreement has been executed and the parties are proceeding toward closing of the Transaction. In accordance with 10 C.F.R. §§ 30.34 and 70.36, Thomas Health System requests the consent of the Nuclear Regulatory Commission ("NRC") to the indirect change of control of Materials License No. 47-17745-01 resulting from the Transaction.

Enclosed with this letter is the updated Information Needed for Transfer of Control Application. Following the Transaction, Thomas Health System will continue to operate under the same name and there will be no changes to the licensee, personnel, use or location of the devices. WVUHS will abide by all constraints, conditions, requirements, representations and commitments of the current owner.

If you have any questions or concerns, please contact me at 724-734-1410. Additionally, Mr. Skeldon's contact information including email address and phone number is provided in the Transfer of Control Application for future communication related to the Materials License.

Thank you,

  
Lindsay Petrosky

**THOMAS HEALTH SYSTEM, INC.**  
**License No. 47-17745-01**  
**Information Needed for Transfer of Control Application**

**NRC Region: Region I**

**Licensee Contact:** Timothy Skeldon, CFO  
[Timothy.Skeldon@ThomasHealth.org](mailto:Timothy.Skeldon@ThomasHealth.org)  
Telephone: 304-766-3523  
Fax: 304-414-2723

**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.

**Thomas Health System, Inc. ("Thomas Health System" or sometimes referred to herein as "Transferor"), its direct and indirect subsidiaries, and West Virginia United Health System, Inc. d/b/a West Virginia University Health System ("Transferee") are anticipated parties to an Agreement and Plan of Affiliation pursuant to which Transferee will become the sole corporate member of Thomas Health System (the "Transaction"). The anticipated closing date of the Transaction is December 31, 2022, with an effective time of 12:00:01 a.m. on January 1, 2023. Prior to closing of the Transaction, Thomas Health System is required to obtain approval by the NRC for the indirect change of control in the licensed nuclear material.**

**The name of the Transferor is:  
Thomas Health System, Inc., which prior to the Transaction, does not have a member.**

**The name of the Transferee is:  
West Virginia United Health System, Inc. d/b/a West Virginia University Health System, which after the Transaction, will be the new sole member of Transferor.**

**The NRC licensee will remain Thomas Health System, Inc.**

**The mailing address and contact information for the licensee will remain the same and is:**

**Thomas Health System, Inc.  
4605 MacCorkle Avenue, SW  
South Charleston, WV 25309-1311  
Phone Number: 304-766-3523**

**See attached pre- and post-transaction organizational charts showing the corporate structure of the license holder.**

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.

**No changes to personnel. The Radiation Safety Officer for the activities authorized by this license will remain the same—Ronald Anastasio. See attached Thomas Health System, Inc. NRC License which indicates that Ronald Anastasio is the current Radiation Safety Officer.**

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.

**There will be no changes in location, facilities, equipment, or procedures that relate to the licensed program. There will be no changes in the name of the licensee. The only change is to add a new sole corporate member of the licensee.**

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.

**All required surveillance has been performed, documented, and reviewed. See attached NRC's Safety Inspection Report and Compliance Inspection dated May 25, 2021.**

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.

**Not applicable.**

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.

**All records of use related to the history of use at facilities associated with Thomas Health System will be retained for any future decommissioning of these location under the new management of the license described in this Transfer of Control Application.**

Transferor and Transferee understand that Thomas Health System, Inc. will remain the licensee with direct control of the licensed material and activity. Transferor and Transferee agree to transferring the indirect control of the licensed material and activity, and the conditions of transfer. Thomas Health System, Inc. has made Transferee 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.

**Transferee will abide by all constraints, conditions, requirements, representations and commitments of Thomas Health System, Inc.**

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.

**Not applicable.**

THOMAS HEALTH SYSTEM, INC.,  
Transferor

DocuSigned by:



By: Timothy Skeldon

Its: Chief Financial Officer

Dated: December 13, 2022

Acknowledging agreement to the terms  
included in this Transfer of Control  
Application

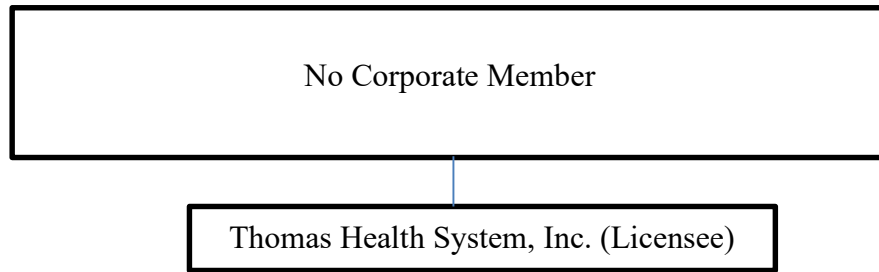
WEST VIRGINIA UNITED HEALTH  
SYSTEM, INC., Transferee

  
By: Albert L. Wright, Jr.

Its: President & CEO

Dated: December 13, 2022

**Pre-Transaction Organizational Structure**



**Post-Transaction Organizational Structure**

