

INFORMATION NEEDED FOR CHANGE OF CONTROL

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.

Legal Entity: The name of the applicant's corporation or other legal entity with direct control over use of the radioactive material. A division or department within a legal entity may not be a licensee. An individual may be designated as the legal entity only if the individual is acting in the private capacity and the use of the radioactive material is not connected with employment in a corporation or other legal entity. Documentation of current registration of the applicant/licensee with the Illinois Secretary of State to conduct business within Illinois is also required or hold a similar registration in another state.

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

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

Information Needed for Transfer of Control

Licensees must provide full information and obtain IEMA's **prior written consent** before transferring control of the license in accordance with 32 Ill. Adm. Code 330.310(c). This regulation requires notification to IEMA not later than 90 days prior to the transfer. 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. A transfer of control worksheet may be utilized to provide this information to IEMA.

1. Provide a complete description of the transaction (transfer of stocks or assets, or merger). Indicate whether the name has changed and include the new name. Include the name and telephone number of a licensee contact whom IEMA may contact if more information is needed.
2. Describe any changes in personnel or duties that relate to the licensed program. Include training and experience for new personnel (i.e., RSO, radiology manager, plant manager, etc.)
3. Describe any changes in the organization, location, facilities, equipment or procedures that relate to the licensed program.
4. Describe the status of the radiation monitoring program (surveys, wipe tests, quality control) at the present time and the expected status at the time that control is to be transferred.
5. If applicable, commit to the maintenance of Part 337 Security requirements both at the present time and at the time that control is to be transferred.
6. Confirm that all records concerning the safe and effective decommissioning of the facility will be transferred to the transferee or to IEMA, as appropriate. These records include documentation of surveys of ambient radiation levels, and fixed and/or removable contamination, including methods and sensitivity. With regard to contamination of facilities and equipment, the transferee should confirm, in writing, that it accepts full liability for the site, and should provide evidence of adequate resources to fund decommissioning; or the transferor should provide a commitment to decontaminate the facility before transferring control.
7. Provide documentation that the transferor and transferee agree to transfer control of the licensed material and activity, and the conditions of transfer.
8. Transferee is made aware of all open inspection and enforcement items, as well as their responsibility for completion of any corrective action and/or any resulting enforcement actions.
9. A commitment by the transferee to abide by all constraints, conditions, requirements, representations, and commitments identified in the existing license. If not, the transferee must provide a description of its program, to ensure compliance with the license and regulations.
10. Identify any State or Federal government licenses or registrations for radioactive material already held by the transferee. If applicable, identify the regulating authority and license or registration number. Identify if the license or registration will be related to transferor's operations.

Source: NUREG 1556, Vol 15, Appendix E.



IEMA DIVISION OF NUCLEAR SAFETY

1035 OUTER PARK DRIVE

SPRINGFIELD, ILLINOIS 62704

TRANSFER OF CONTROL NOTIFICATION

Address all items detailed in this form. Attach additional documentation as necessary.

Although this form may be submitted electronically at ema.speclic@Illinois.gov, licensees should not submit security sensitive or personally-identifiable information through unsecured portals. If applicable, security sensitive or personally identifiable information should be clearly marked as such on the top and bottom of each page.

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Item 1A. Transfer of Control Description (Mark all that apply)

- Document attached, signed by both transferor and transferee, providing a complete description of the transaction
- Transferee has filed or intends to file for bankruptcy
- Expected Date of Transfer of Control: _____
- Transferor will remain in business, but without a radioactive materials license

Item 1B. Change in Legal Entity Identified on Radioactive Materials License

- Transfer will result in a new legal entity name (specify): _____
- Not applicable

Item 1C. Transferor's name and mailing address

(IEMA licensee selling or otherwise giving up control of a licensed operation.)

Licensee Name:

License Number:

Address:

City:

State, Zip:

Phone:

Item 1D. Transferee's name and mailing address

(Entity that proposes to purchase or otherwise gain control of an IEMA-licensed operation.)

Legal Entity Name:

Contact Person:

Contact Phone:

Address:

Contact Email:

City:

State, Zip:

IEMA U.S. NRC Agreement State _____ License Number: _____ OR N/A

The Radioactive Materials License identified above will apply to the proposed operation OR N/A

Illinois Secretary of State Registration Number: _____ FEIN: _____

Item 2A. Person(s) authorized to act on behalf of licensee

- Persons authorized to act on behalf of the licensee are unchanged
- Persons authorized to act on behalf of the licensee are below. Use additional pages as necessary. Identify any person(s) to be removed.

Name:

Title/Duties:

Address:

Email:

City, State, Zip:

Phone:

Full time employee of licensee or Position and/or Relationship to the licensee:

Item 2B. Radiation Safety Officer (RSO)

- The Radiation Safety Officer is unchanged
- Proposed Radiation Safety Officer is identified below.

Full Name:

Title:

Address:

Email:

City, State, Zip:

Phone:

Full time employee of licensee or Position and/or Relationship to the licensee:

- Documentation of training and experience is attached
- Delegation of Authority Statement, signed by both management and the RSO is attached.
- Duties and responsibilities of the RSO are attached.
- RSO is available to respond to questions or operational issues approximately _____ hours per week
- Applicant has specified time required for RSO to arrive at facility in the event of an emergency: _____ hours

Item 2C. Authorized User(s)

- Persons authorized to use radioactive material under the license are unchanged
- Authorized users are identified below. Use additional pages as necessary. Identify any person(s) to be removed.

Full Name:	Identified on a License	Training and Experience (Mark One)
	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Training and experience documentation required under transferor's license attached OR <input type="checkbox"/> Alternate training and experience documentation provided

If the individuals listed above are unknown to the Agency (not listed on any license previously), complete the *Release and Authorization Full Due Diligence Form* to expedite processing of the application.

https://www2.illinois.gov/iema/NRS/RadSafety/documents/RAM_Documents/BackgroundCheck.pdf

Item 3. Address where radioactive material will be either: Used(only), Stored(only), or Both Used & Stored

- Authorized uses and locations are unchanged
- Authorized use and/or storage locations are requested. Use additional pages as necessary. Identify any site(s) to be removed.

Site Address(es):	<input type="checkbox"/> Used <input type="checkbox"/> Stored <input type="checkbox"/> Used and Stored	<input type="checkbox"/> The Applicant owns the property/facility. <input type="checkbox"/> The Applicant does not own the property. Attach letter signed by facility/owner acknowledging use/storage of RAM at this location <input type="checkbox"/> Site is subject to 32 Ill. Adm. Code Part 337
City, State, Zip:		
Contact Name:	Phone:	Email:

Request for TEMPORARY JOBSITES (≤ 180 days during any consecutive twelve-month period): Yes No

Item 4A. Radiation Protection Program

- Transferee commits to abide by all constraints, conditions, requirements, representations, and commitments identified in the existing license. Skip Items 4B, 4C and 4D.
- Transferee has attached a description of its radiation protection program, to ensure compliance with the license and regulations. Also Complete Items 4B, 4C and 4D.

Item 4B. Instrumentation and Equipment Required under the License

- Instrumentation and equipment required under the license remains unchanged
- Changes to instrumentation and equipment required under the license are attached

Item 4C. Procedures Tied Down in the License

- Procedures that relate to the radioactive materials program, as committed to in the license remain unchanged.
- Changes to procedures that relate to the radioactive materials program are attached.

Item 4D. Radiation Monitoring Program

- A description of the transferor's radiation survey and contamination control activities are attached.
- Status of the transferor's radiation survey and contamination control activities, as well as expected status after transfer is attached.

Item 5. Transferee is subject to 32 Ill. Adm. Code Part 337 (Security Requirements) OR N/A

- The reviewing official(s) will remain unchanged.
- One or more reviewing officials are being named. Oath and affirmation of the reviewing official(s) are attached.

Item 6A. Transferee is subject to Financial Assurance Requirements OR N/A

- If applicable, submit an updated financial assurance instrument with new legal entity identified. *See 32 IAC Part 326.70*

Item 6B. Decommissioning

- Statement is attached from the transferee, confirming that it accepts full liability for safe and effective decommissioning of the facility, and will maintain adequate resources to fund decommissioning.
- The transferor has attached a commitment to decontaminate the facility before transferring control.

Item 6C. Decommissioning Records

- Any records concerning the safe and effective decommissioning of the facility will be transferred to the transferee. These records include documentation of surveys of ambient radiation levels, and fixed and/or removable contamination, including methods and sensitivity.

Item 7. Terms and Conditions of Transfer

- Documentation is attached which confirms that the transferor and transferee agree to transfer control of the licensed material and activity, as well as the conditions of transfer

Item 8. Open Inspection and Enforcement Items

- Transferee is aware of all open inspection and enforcement items, as well as their responsibility for implementing corrective action and/or resulting enforcement actions.
- Not applicable

Item 9. Fees

- Transferee is current on all radioactive materials licensing fees and/or civil penalties.
- Transferee is assuming and has submitted payment for outstanding fees and/or civil penalties.

Certification: Both the transferor and transferee must complete

I have reviewed the above items and hereby certify that all information contained herein, including any supplements attached hereto, is true and correct to the best of my knowledge and belief.

<p>_____</p> <p>Transferor Signature</p> <p>_____</p> <p>Title:</p> <p>_____</p> <p>Date</p>	<p>_____</p> <p>Transferee Signature</p> <p>_____</p> <p>Title:</p> <p>_____</p> <p>Date</p>
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