Transfer of Control Application Form

Include contact information for follow-up, as needed.

Name and Title: Click or tap here to enter text.

Telephone: Click or tap here to enter text. Email: Click or tap here to enter text.

License number: Click or tap here to enter text.

Anticipated transfer date: Click or tap to enter a date.

**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 DSHS-licensed operation.

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

**Information Needed for a Transfer of Control Review**

Licensees must provide full information and obtain the Department’s ***prior written consent*** before transferring control of the license in accordance with 25 TAC 289.252(x)(2) and (3). 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.

**Description of Transaction**

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.

Click or tap here to enter text.

1. Provide the new licensee name, dba or assumed name, if applicable, mailing address, and contact information, including phone numbers. Clearly identify when the amendment request is due to a name change only.

Click or tap here to enter text.

1. Include a pre-and post-transaction organizational chart showing the corporate structure of the license holder and its parent companies, if any. Identify groups or individuals who have control over the radiation protection program.

Click or tap here to enter text.

**Changes of Personnel**

1. Describe any changes in personnel or duties that relate to the licensed program.

Click or tap here to enter text.

1. Include training and experience for new personnel and any changes in the training program.

Click or tap here to enter text.

**Changes of Location, Equipment, and Procedures**

1. Describe changes in place of use, including potentially affected adjacent areas, as required.

Click or tap here to enter text.

1. Describe changes in facilities where licensed material is to be used or stored.

Click or tap here to enter text.

1. Describe changes in equipment to be used in the licensed program.

Click or tap here to enter text.

1. Submit relevant procedural changes.

Click or tap here to enter text.

**Surveillance Records**

1. Submit a statement that all required surveillance has been performed, documented, and reviewed, including the results, if appropriate.

Click or tap here to enter text.

1. If surveillance items are not or will not be completed, submit the reasons, any corrective actions, and/or the date these corrective actions will be submitted to the agency.

Click or tap here to enter text.

**Decommissioning and Related Records Transfers**

1. State the following: “Pursuant to 25 TAC §289.252(gg)(7), we shall maintain drawings and records important to decommissioning and will transfer these records to an agency, U.S. Nuclear Regulatory Commission, or Agreement State licensee before licensed activities are transferred; or we will transfer the records to the agency before the license is terminated.”

Click or tap here to enter text.

1. Describe the method and proposed timetable for the transfer of required records.

Click or tap here to enter text.

1. Provide a commitment by the transferee to maintain the records received from the transferor.

Click or tap here to enter text.

1. Provide a description of the facility regarding contamination and ambient radiation levels.

Click or tap here to enter text.

1. Describe any decontamination to prepare the facility for decommissioning before the change of control.

Click or tap here to enter text.

1. If decommissioning will not occur until after the change of control, describe any contamination and confirm that the transferee is knowledgeable of the extent and levels of contamination and applicable decommissioning requirements.

Click or tap here to enter text.

1. Indicate whether operations will continue during the transfer process; if so, provide either an agreement to perform a survey confirming that the facility is free of contamination or agreement by the transferee to accept the facility “as is” on the date of transfer.

Click or tap here to enter text.

**Transferee’s Commitment to Abide by the Transferor’s Commitments**

1. Submit documentation 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.

Click or tap here to enter text.

1. Provide an agreement to abide by all constraints, license conditions, requirements, representations, and commitments identified in and attributed to the existing license or a description of the transferee’s program to ensure compliance with the license and rules.

Click or tap here to enter text.

1. Describe the actions you will take to resolve open inspection and enforcement issues.

Click or tap here to enter text.

1. Provide a new delegation of authority by the new management for the RSO

Click or tap here to enter text.

**Registration with the Texas Secretary of State to Conduct Business**

1. Provide a completed RC Form 252-1 Business Information Form with the applicable box checked under “Certification of Financial Qualification” and “Authorization to Conduct Business in Texas.” Provide attachment(s) as requested.