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October 27, 2006

Betsy Ullrich, Senior Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety
U.S. Nuclear Regulatory Commission, Region 1
475 Allendale Road
King of Prussia, PA 194046-1415
RE: Materials License 06-21254-01

03020106

According to instructions received from your office, I am sending you this preliminary information as a timely notice of a transfer of control.

Kodak Molecular Imaging Systems, located in New Haven, Connecticut, is a small business unit of Kodak Health Imaging, Eastman Kodak Company, Rochester, New York. Current business arrangements are proceeding that will likely change the corporate ownership of Kodak Health Imaging and Kodak Molecular Imaging Systems.

Kodak Molecular Imaging Systems has maintained an appropriate NRC license for greater than 20 years, and that period of time has including changing ownership, facility changes, and several name changes. According to the information received from your office, a new regulation requires "timely notification" of a transfer of ownership, even though there is insufficient detailed information to support an appropriate application for your approval.

In support of a preliminary application for such an approval, the following section of the appropriate regulation have been copied from your website, and answers questions appear in **bold** print.

Upon receiving the appropriate detailed information regarding new corporate ownership, the information will be appropriately revised.

Please advise should more information or a different format for the application be needed.

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NUREG-1556, Vol. 7, 8.2 (Timely Notification of Transfer of Control).

Appendix E: Information Needed for Transfer of Control Application

Information Needed for Transfer of Control Application

Licensees must provide full information and obtain NRC's *prior written consent* before transferring control of the license; some licensees refer to this as "transferring 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. The new name of the licensed organization. If there is no change, the licensee should so state.

NONE ANTICIPATED.

2. The new licensee contact and telephone number(s) to facilitate communications. **NO CHANGE.**

3. Any changes in personnel having control over licensed activities (e.g., officers of a corporation) and any changes in personnel named in the license such as radiation safety officer, authorized users, or any other persons identified in previous license applications as responsible for radiation safety or use of licensed material. The licensee should include information concerning the qualifications, training, and responsibilities of new individuals. **NO ANTICIPATED CHANGES.**

4. An indication of whether the transferor will remain in non-licensed business without the license.

SEPARATE LICENSE, STATE OF NEW YORK.

5. A complete, clear description of the transaction, including any transfer of stocks or assets, mergers, etc., so that legal counsel is able, when necessary, to differentiate between name changes and transferring control. **PENDING, NO INFORMATION AVAILABLE.**

6. A complete description of any planned changes in organization, location, facility, equipment, or procedures (i.e., changes in operating or emergency procedures). **NONE ANTICIPATED.**

7. A detailed description of any changes in the use, possession, location, or storage of the licensed materials. **NONE ANTICIPATED.**

8. Any changes in organization, location, facilities, equipment, procedures, or personnel that would require a license amendment even without transferring control. **NONE ANTICIPATED.**

9. An indication of whether all surveillance items and records (e.g., calibrations, leak tests, surveys, inventories, and accountability requirements) will be current at the time of transfer.

Provide a description of the status of all surveillance requirements and records. **CURRENT, NO MATERIALS IN USE.**

10. Confirmation that all records concerning the safe and effective decommissioning of the facility, pursuant to 10 CFR 30.35(g), 40.36(f), 70.25(g), and 72.30(d); public dose; and waste disposal by release to sewers, incineration, radioactive material spills, and on-site burials, have been transferred to the new licensee, if licensed activities will continue at the same location, or to NRC for license terminations. **RECORDS INTACT, NO TRANSFER ANTICIPATED, ANTICIPATE NO CHANGE IN LOCATION/ACTIVITIES.**

11. A description of the status of the facility. Specifically, the presence or absence of contamination should be documented. If contamination is present, will decontamination occur before transfer? If not, does the successor company agree to assume full liability for the decontamination of the facility or site? **NO CONTAMINATION DETECTED, ALL MATERIALS DECAYED IN STORAGE.**

12. A description of any decontamination plans, including financial assurance arrangements of the transferee, as specified in 10 CFR 30.35, 40.36, and 70.25. Include information about how the transferee and transferor propose to divide the transferor's assets, and responsibility for any cleanup needed at the time of transfer. **NONE ANTICIPATED.**

13. Confirmation that the transferee agrees to abide by all commitments and representations previously made to NRC by the transferor. These include, but are not limited to: maintaining decommissioning records required by 10 CFR 30.35(g); implementing decontamination activities and decommissioning of the site; and completing corrective actions for open inspection items and enforcement actions.

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.

With regard to open inspection items, etc., the transferee should confirm, in writing, that it accepts full responsibility for open inspection items and/or any resulting enforcement actions; or the transferee proposes alternative measures for meeting the requirements; or the transferor provides a commitment to close out all such actions with NRC before license transfer. **PENDING.**

14. Documentation that the transferor and transferee agree to transferring control of the licensed material and activity, and the conditions of transfer; and the transferee is made aware of all open inspection items and its responsibility for possible resulting enforcement actions. **PENDING.**

15. 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.

PENDING.

Reference: See the Notice of Availability on the inside front cover of this report to obtain copies. Information Notice 89-25, Revision 1, "Unauthorized Transfer of Ownership or Control of Licensed Activities."

This is to acknowledge the receipt of your letter/application dated

10/27/2006, and to inform you that the initial processing which includes an administrative review has been performed.

Notification 06-21254-01
There were no administrative omissions. Your application was assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information.

Please provide to this office within 30 days of your receipt of this card

A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned **Mail Control Number** 139667.
When calling to inquire about this action, please refer to this control number.
You may call us on (610) 337-5398, or 337-5260.