



Robert J. Accettola, M.D., LLC

Interventional and Clinical Cardiology

NMS82

March 14, 2008

*45-25633-01
03036380*

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REGION 1

United States Nuclear Regulatory Commission, Region 1
Division of Nuclear Material Safety
475 Allendale Road
King of Prussia, Pennsylvania 19406

Re: Licensure Issues Pursuant to Change in Control

To Whom It May Concern:

Robert J. Accettola, M.D., LLC ("Transferor") is currently licensed by the Nuclear Regulatory Commission ("NRC") to operate equipment out of its office located at 3737 High Street, Portsmouth, Virginia 23707 (the "Office") pursuant to Materials License No. 45-25633-01. Pursuant to a Master Agreement (the "Agreement") dated effective as of January 1, 2008 (the "Effective Date"), Transferor sold its assets and assigned its material contracts to Lakeview Medical Center, Inc., a Virginia professional corporation ("Transferee"). The purpose of this letter is to provide the NRC with the information needed for a change of control of a licensed activity in accordance with the regulatory procedures set forth in the advisory materials entitled "Consolidated Guidance About Material Licenses," concerning the transfer of control or ownership of licensed activities and the requirements of NUREG-1556, Volume 15.

1. Transaction Description.

Prior to the Effective Date, Transferor operated as a medical practice for the purpose of providing the medical services to residents of Portsmouth, Virginia and the surrounding communities. Robert J. Accettola, M.D., ("Dr. Accettola") is the sole member of Transferor, which is a Virginia professional limited liability company. Transferee is a separately licensed entity by the NRC currently holding Materials License No. 45-25206-01.

Under the Agreement, (i) Transferor sold, assigned, transferred and delivered all right, title and interest of Transferor in and to its tangible business property to Transferee and (ii) Transferee assumed all obligations concerning contracts material to the operation of the Transferor's medical practice. Transferor's lease for the Office terminated as of the Effective Date and the landlord entered a new lease for the Office, naming Transferee as the tenant. Dr. Accettola's employment by Transferor terminated as of the Effective Date, at which point he entered into an employment agreement with Transferee. Dr. Accettola currently practices medicine and renders professional

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COMMISSION MATERIALS-002

services on behalf and under the direction and supervision of Transferee. Lastly, Dr. Accettola purchased one-hundred fifty shares of the common stock of Transferee, making him a shareholder on a parity basis with Transferee's other current physician-shareholders. In short, Dr. Accettola continues to service the Portsmouth community in the same location with the same personnel in the same manner as he did through the Transferor prior to the Effective Date. However, the practice is currently operated in the name of the Transferee, which maintains control over the assets, personnel and equipment used in connection with the delivery of Dr. Accettola's services.

In the event the NRC requires additional information concerning the licensed program, please contact Margaret Hobbs at (757) 686-9400.

2. Changes in Personnel and Duties Relating to the Licensed Program.

There have not been, nor will there be, any changes in the personnel relating to the licensed program and their duties respecting the licensed activities have not changed since the Effective Date. The Radiation Safety Officer will continue to be Emanuel Stein, M.D.

3. Changes in Organization, Location, Facilities, Equipment or Procedures Relating to the Licensed Program.

As of the Effective Date, Transferee assumed the financial responsibility for the licensed program, which responsibilities include, but are not limited to, paying the annual NRC and Virginia licensing fees, decommissioning responsibilities, radioisotope procurement, leasing and/or repairing imaging and other radiation monitoring equipment, purchasing and maintaining medical supplies and performing such other acts as shall be necessary to maintain the existing radioactive license. The operation of the licensed activities will continue to occur at the Office located at 3737 High Street, Portsmouth, Virginia 23707. The procedures are being performed under the name of Transferee d/b/a Cardiac Diagnostic and Treatment Center in lieu of Transferor. Neither the location of the Nuclear Medicine Department, including Hot Lab and imaging equipment, nor the procedures performed at this facility has changed.

4. Status of Surveillance Program

All required radiation safety procedures, including surveys, wipe tests, and required quality control, are currently performed in accordance with NRC and State regulations. The program is in good standing with NRC and State agencies. No change in the status has or will occur, the program remains current with no interruption to daily operations or required monitors and quality control.

5. Transfer of Records Concerning Safe and Effective Decommissioning.

Transferee has assumed full financial responsibility of all decommissioning procedures and records of the license held by Transferor. The license, however, has not yet been terminated and should remain effective until such time decommissioning becomes necessary.

6. Description of the Proposed Licensed Program.

Transferee shall adhere to all constraints, conditions, requirements and commitments of the Transferor. Upon transfer to the Transferee, the licensed program will be identical to the Transferor's program previously licensed by the NRC. A description of the program is set forth in Materials License No. 45-25633-01 issued by the NRC on October 9, 2003, a copy of which is enclosed with this correspondence.

If you should need further information in connection with the transfer of the Material License as requested herein, please do not hesitate to contact me.

TRANSFEROR:

ROBERT J. ACCETTOLA, M.D., LLC,
a Virginia professional limited liability
company

By: Robert J. Accettola
Robert J. Accettola, M.D.

By: Emanuel Stein, M.D.
Emanuel Stein, M.D.
Radiation Safety Officer

TRANSFEEEE:

LAKEVIEW MEDICAL CENTER, INC.,
a Virginia professional corporation

By: Michael B. Stout
Name: MICHAEL B. STOUT
Its: CEO.

MATERIALS LICENSE

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 36, 39, 40, and 70, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

| | |
|---|---|
| <p style="text-align: center;">Licensee</p> <p>1. Robert J. Accettola, M.D., LLC</p> <p>2. 3737 High Street Portsmouth, Virginia 23707</p> | <p style="text-align: center;">In accordance with the letter dated September 24, 2003</p> <p>3. License No. 45-25633-01</p> <p style="text-align: center;">is amended in its entirety to read as follows:</p> <p>4. Expiration Date: August 31, 2013</p> <p>5. Docket No. 080-36380</p> |
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|--|---|---|
| <p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Any byproduct material permitted by 10 CFR 35.100</p> <p>B. Any byproduct material permitted by 10 CFR 35.200</p> | <p>7. Chemical and/or physical form</p> <p>A. Any</p> <p>B. Any</p> | <p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. As needed</p> <p>B. As needed</p> |
|--|---|---|

9. Authorized Use:
- A. Any uptake, dilution and excretion study permitted by 10 CFR 35.100.
- B. Any imaging and localization study permitted by 10 CFR 35.200.

CONDITIONS

10. Licensed material shall be used or stored only at the licensee's facilities located at **3737** High Street, Portsmouth, Virginia.
11. The Radiation Safety Officer (RSO) for this license is Emanuel Stein, M.D.
12. Licensed material is only authorized for use by, or under the supervision of:
- A. Individuals permitted to work as an authorized user in accordance with 10 CFR 35.13 and 35.14.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License No.
45-25633-01

Docket No.
030-36380

Amendment No.
01

12. B. The following individuals are authorized users for the materials and uses indicated:

| <u>Authorized User</u> | <u>Material and Use</u> |
|------------------------|-------------------------|
| Emanuel Stein, M.D. | 35.100; 35.200 |

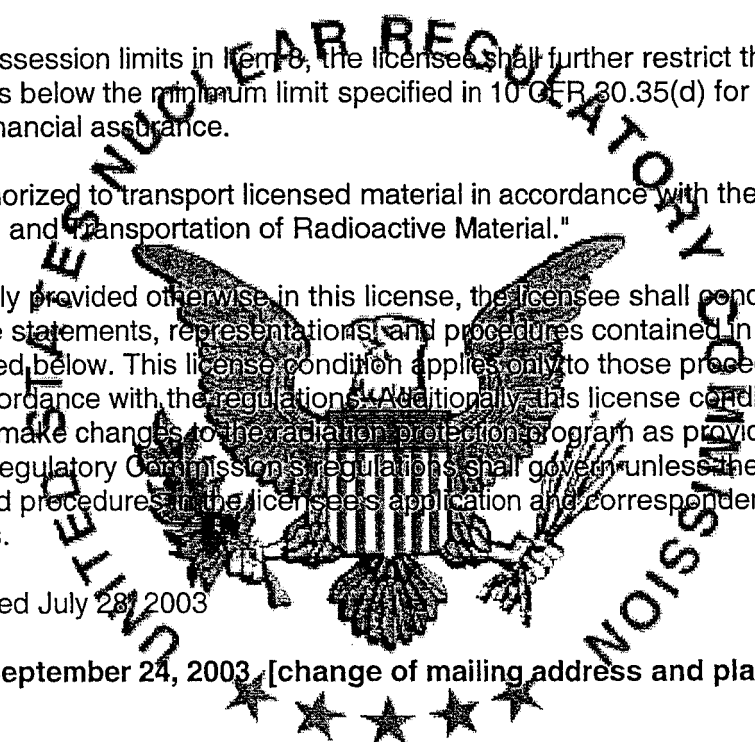
13. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of licensed material to quantities below the minimum limit specified in 10 CFR 30.35(d) for establishing decommissioning financial assurance.

14. The licensee is authorized to transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."

15. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. This license condition applies only to those procedures that are required to be submitted in accordance with the regulations. Additionally, this license condition does not limit the licensee's ability to make changes to the radiation protection program as provided for in 10 CFR 35.26. The U.S. Nuclear Regulatory Commission's regulations shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the regulations.

A. Application dated July 28, 2003

B. Letter dated September 24, 2003 [change of mailing address and place of use]



FOR THE U.S. NUCLEAR REGULATORY COMMISSION

OCT 09 2003

Date _____

BY

 Bryan A. Parker
 Nuclear Materials Safety Branch 3
 Division of Nuclear Materials Safety
 Region I
 King of Prussia, Pennsylvania 19406-1415

MATERIALS LICENSE

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 36, 39, 40, and 70, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

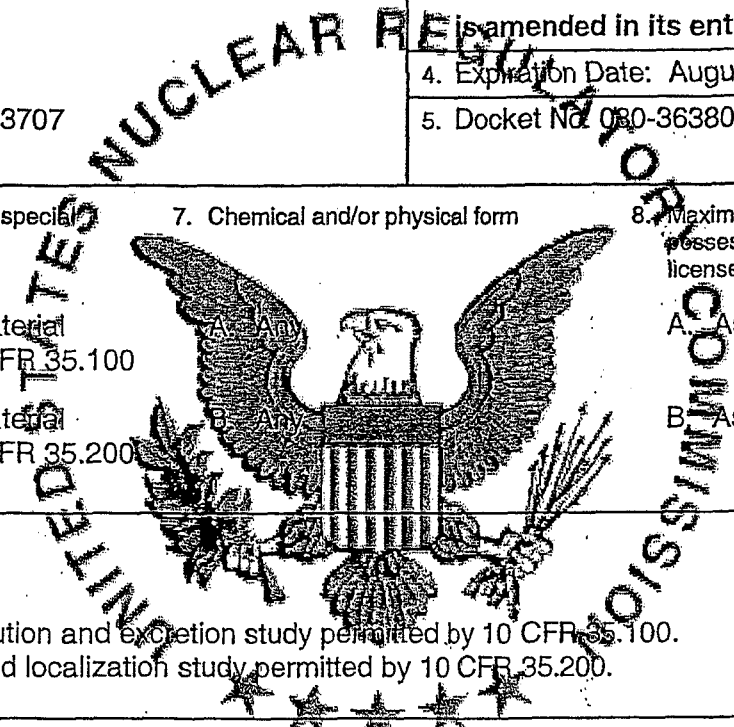
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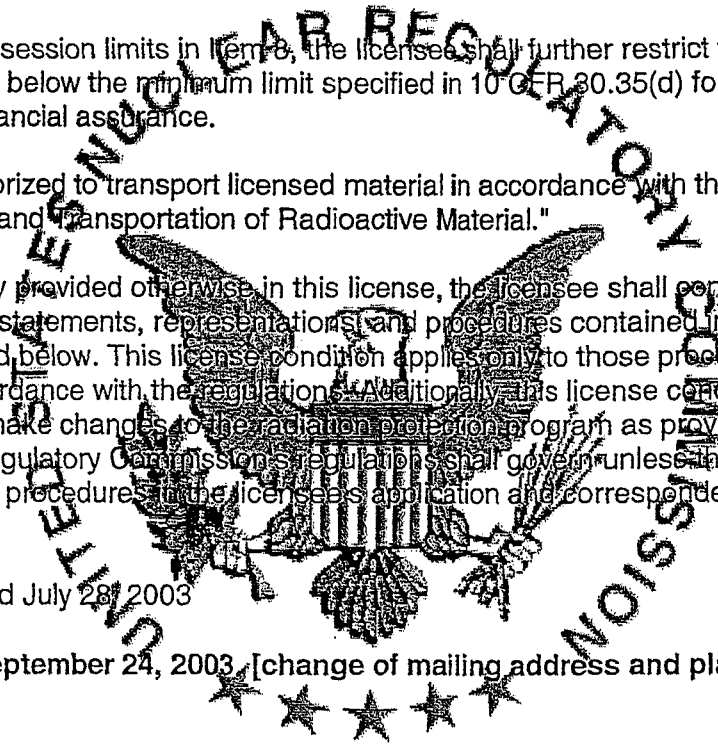
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FOR THE U.S. NUCLEAR REGULATORY COMMISSION

OCT 09 2003

Date _____

BY

Bryan A. Parker

Bryan A. Parker
Nuclear Materials Safety Branch 3
Division of Nuclear Materials Safety
Region 1
King of Prussia, Pennsylvania 19406-1415

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

3/14/2008, and to inform you that the initial processing which includes an administrative review has been performed.

AMEND. 45-25633-01 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** 142265.
When calling to inquire about this action, please refer to this control number.
You may call us on (610) 337-5398, or 337-5260.