

Delaware Diagnostic Services, Inc.

4512 Kirkwood HWY, Suite 202 • Wilmington, DE 19808

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May 12, 2009

U. S. Nuclear Regulatory Commission
Region I
Licensing Assistance Team
475 Allendale Road
King of Prussia, PA 19406-1415

RE: Transfer of Control Request
License No. 07-30275-01
Docket No. 030-34064 *(TEAM)*
Delaware Diagnostic Services, Inc.

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REGION I
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License Reviewers:

The following information is being supplied as directed by Appendix G of NUREG – 1556, Vol. 9, Rev. 2 in support of a request for a transfer of control regarding the above mentioned facility:

1. The license for Delaware Diagnostic Services, Inc. will be terminated and all of the activities currently performed under it will be performed under Molecular Imaging Services, Inc. (License #: 07-30790-01, Docket #: 030-36176, copy enclosed) as an additional area of use as of June 1, 2009. Frank DiGregorio (302-750-3668) will continue to serve as Radiation Safety Officer and should be contacted if more information is needed.
2. The only changes in personnel will be the removal and addition of several authorized users.

(Amend.) →

The following individuals can be deleted from the license:

Vidya Sagar, M.D.
David S. Grubbs, M.D.
Timothy Manzone, M.D.
Hung Q. Dam, M.D.
Christopher A. Bowens, M.D.
Christopher L. Baldi, M.D.

The following individuals need to be added to the license:

Kamar Adeleke, M.D.- Authorized Use: 10 CFR 35.200
Steven L. Edell, D.O. - Authorized Use: 10 CFR 35.100 and 35.200

Documentation of these individuals training and experience can be found under *NRC license #:* 07-30681-01 and 07-28154-01 respectively. Copies are enclosed.

3. Other than the changes described in numbers 1 and 2 above, there will not be any changes to the organization, location, facilities, equipment, or procedures related to the license.

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NRC REGION I

4. The current surveillance program (surveys, wipe tests, QC) is ongoing and will not be interrupted by the transfer of control.
5. There are no plans for a formal decommissioning of the facility as the same equipment and personnel (other than authorized users) will be used in the same location by the transferee as was used by the transferor.
6. The transferee will abide by all constraints, conditions, requirements, and commitments of the transferor.

Any questions regarding this request may be directed to the undersigned at (302) 750-3668 or our Health Physicist, Steve Henry, with Krueger-Gilbert Health Physics, at (410) 692-9806.

Thank you for your cooperation,

Sincerely,

A handwritten signature in black ink, appearing to read "Frank DiGregorio". The signature is fluid and cursive, with the first name "Frank" being more prominent and the last name "DiGregorio" written in a more compact, flowing style.

Mr. Frank DiGregorio
Radiation Safety Officer



Molecular Imaging Services, Inc.

"Excellence in Patient Care through State of the Art Imaging"

May 12, 2009

U. S. Nuclear Regulatory Commission
Region I
Licensing Assistance Team
475 Allendale Road
King of Prussia, PA 19406-1415

07-30790-01
03036176

RE: Transfer of Control Request
License No. 07-30275-01
Docket No. 030-34064
Delaware Diagnostic Services, Inc.

Dear License Reviewers:

Molecular Imaging Services, Inc would like to acknowledge and accept the transfer of license activities and responsibilities for the aforementioned License.

Please feel free to contact me with any questions at 302-750-3668.

Thank you.

Frank DiGregorio
Radiation Safety Officer
President & CEO
Molecular Imaging Services, Inc. (License #: 07-30790-01, Docket #: 030-36176)

NRC FORM 374

U. S. NUCLEAR REGULATORY COMMISSION

PAGE 1 OF 2 PAGES
Amendment No. 10

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. <u>Molecular Imaging Services, Inc.</u></p> <p>2. 10 Whitaker Court Bear, Delaware 19701</p>	<p>In accordance with the letter dated February 16, 2009,</p> <p>3. License No. <u>07-30790-01</u> is amended in its entirety to read as follows:</p> <hr/> <p>4. Expiration Date: January 31, 2013</p> <hr/> <p>5. Docket No. 030-36176</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>
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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 may be used or stored only at the licensee's facilities located at 200 Federal Street, Seaford, Delaware; and Clinic-by-the-Sea, LLC, 16295 Willow Creek Road, Lewes, Delaware.
- 11. The Radiation Safety Officer (RSO) for this license is Frank DiGregorio.
- 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.

NRC FORM 374

U.S. NUCLEAR REGULATORY COMMISSION

PAGE 1 OF 2 PAGES

MATERIALS LICENSE

Amendment No. 4

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>Licensee</p> <p>1. <u>First State Diagnostic Center, Inc.</u></p> <p>2. 2401 Pennsylvania Avenue Suite 101 Wilmington, DE 19806</p>	<p>In accordance with the letter dated June 5, 2007,</p> <p>3. License number 07-30681-01 is amended in its entirety to read as follows:</p> <hr/> <p>4. Expiration date November 30, 2011</p> <hr/> <p>5. Docket No. 030-35838 Reference No.</p>
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<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Any byproduct material permitted by 10 CFR 35.200</p>	<p>7. Chemical and/or physical form</p> <p>A. Any</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. As needed</p>
<p>9. Authorized use:</p> <p>A. Any imaging and localization procedure permitted by 10 CFR 35.200.</p>		

CONDITIONS

- 10. Licensed material may be used or stored only at the licensee's facility located at 2401 Pennsylvania Avenue, Suite 105, Wilmington, Delaware.
- 11. 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.
 - B. The following individuals are authorized users for medical use as indicated:

<u>Authorized Users</u>	<u>Material and Use</u>
Kamar T. Adeleke, M.D.	35.200

12. The Radiation Safety Officer for this license is Kamar T. Adeleke, M.D.

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>Licensee</p> <p>1. Delaware Spect Imaging Center, L.P.</p> <p>2. Omega Drive Suite G-40 Newark, Delaware 19713</p>	<p>In accordance with the application dated July 16, 2003,</p> <p>3. License number 07-28154-01 is amended in its entirety to read as follows:</p> <p>4. Expiration date August 31, 2013</p> <p>5. Docket No. 03030418 Reference No.</p>
<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>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>
<p>9. Authorized use:</p> <p>A. Any uptake, dilution and excretion study permitted by 10 CFR 35.100.</p> <p>B. Any imaging and localization study permitted by 10 CFR 35.200.</p>	

CONDITIONS

- 10. Licensed material may be used or stored only at the licensee's facilities at Omega Drive, Suite G-40, Newark, Delaware.
- 11. The Radiation Safety Officer for this license is Steven L. Edell, D.O.
- 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.
 - B. The following individuals are authorized users for medical use as indicated:

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number
07-28154-01

Cocket or Reference Number
030-3041B

Amendment No. **3**

Authorized Users

Material and Use

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Steven L. Edell, D.O.

35.100; 35.200

R. Lansing Dillon, 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 in 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 16, 2003

For the U.S. Nuclear Regulatory Commission

Date August 20, 2003

By *Michelle Beardsley*
Michelle Beardsley

Nuclear Materials Safety Branch 1
Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406

44639775

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

5/12/2009, and to inform you that the initial processing which includes an administrative review has been performed.

TEAM 07-30275-01 / AMEND. 07-30790-01
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** 143724/143725
When calling to inquire about this action, please refer to this control number.
You may call us on (610) 337-5398, or 337-5260.