

**SAFETY EVALUATION REPORT
PROPOSED CHANGE OF CONTROL FOR BYPRODUCT MATERIALS LICENSE
NUMBER 06-31401-01, HARTFORD HEART, LLC**

DATE: June 18, 2014

DOCKET NO.: 030-38240

LICENSE NO.: 06-31401-01

LICENSEE: Hartford Heart, LLC
478 Burnside Avenue, Suite 201
East Hartford, Connecticut 06108

TECHNICAL REVIEWER: Tara Weidner

SUMMARY AND CONCLUSIONS

Hartford Heart, LLC is authorized by NRC License 06-31401-01 for the possession and use of byproduct material for purposes of imaging and localization studies permitted by 10 CFR 35.200 at 478 Burnside Avenue, Suite 201, East Hartford, Connecticut. The U.S. Nuclear Regulatory Commission (NRC) staff reviewed a request for consent to a direct license transfer submitted by Hartford Heart, LLC that will result from a sale between Hartford Heart, LLC and Connecticut Multispecialty Group, P.C. The assets of Hartford Heart, LLC were purchased by Connecticut Multispecialty Group, P.C. on October 1, 2013. The direct transfer of control is described in Agency Documents Access and Management System (ADAMS) accession numbers ML13296A346, ML14028A112, ML14114A354, and ML14135A432.

The request for consent was reviewed by NRC staff for a direct change in control of a 10CFR Part 30 license using the guidance in NUREG 1556, Volume 15, "Consolidated Guidance About Materials Licenses - Guidance About Changes of Control and About Bankruptcy Involving Byproduct, Source, or Special Nuclear Materials Licenses," dated November 2000. The NRC staff finds that the information submitted by Hartford Heart, LLC and Connecticut Multispecialty Group, P.C. sufficiently describes and documents the transaction and commitments made by both parties.

As required by 10 CFR 30.34 and section 184 of the Atomic Energy Act of 1954, as amended (the Act), NRC staff has reviewed the application and finds that the proposed change in control is in accordance with the Act. The staff finds that, after the change of control, the facility at 478 Burnside Avenue, Suite 201, East Hartford, Connecticut, now operated by Connecticut Multispecialty Group, P.C., will remain qualified to use byproduct material for the purpose requested, and will continue to have the equipment, facilities, and procedures needed to protect public health and safety, and promotes the security of licensed material.

SAFETY AND SECURITY REVIEW

According to data obtained from the NRC's Licensing Tracking System (LTS), Connecticut Multispecialty Group, P.C. has been an NRC licensee since August 21, 2000. The NRC conducted a main office inspection of Connecticut Multispecialty Group, P.C. on April 28, 2014 and no violations were identified during this inspection. The commitments made by Connecticut

Multispecialty Group, P.C. (License No. 06-14854-01) and Hartford Heart, LLC (License No. 06-31401-01) state the following:

- A. The Connecticut Multispecialty Group, P.C. Radiation Safety Officer (RSO) will oversee the location at 478 Burnside Avenue, Suite 201, East Hartford, Connecticut; officer listed in the NRC license;
- B. Connecticut Multispecialty Group, P.C. will not change the personnel involved in licensed activities;
- C. Connecticut Multispecialty Group, P.C. will not change the locations, facilities, and equipment authorized in the NRC license;
- D. Connecticut Multispecialty Group, P.C. will not change the radiation safety program authorized in the NRC license;
- E. The location at 478 Burnside Avenue, Suite 201, East Hartford, Connecticut will be known as Connecticut Multispecialty Group, P.C.; and
- F. Connecticut Multispecialty Group, P.C. will keep regulatory required surveillance records and decommissioning records.

Connecticut Multispecialty Group, P.C. has an active NRC license. License No. 06-14854-01 authorizes the medical use of diagnostic studies under 10 CFR 35.200 and 35.500. Therefore, for security purposes, Connecticut Multispecialty Group, P.C. is considered a known entity following the guidance provided by the NRC's Office of Federal and State Materials and Environmental Management Programs (FSME) "Checklist to provide a basis for confidence that radioactive materials will be used as specified on the license," September 3, 2008 revision. The purpose of this checklist is for the NRC to obtain reasonable assurance from new license applicants or NRC licensees transferring control of licensed activities that the licensed material will be used for its intended purpose and not for malevolent use.

Hartford Heart, LLC is not required to have decommissioning financial assurance based on the types and amount of material authorized in License No. 06-31401-01.

REGULATORY FRAMEWORK

Hartford Heart, LLC's License No. 06-31401-01, was issued under 10 CFR Part 30, Rules of General Applicability to Domestic Licensing of Byproduct Material. The Commission is required by 10 CFR 30.34 to determine if the change of control is in accordance with the provisions of the Act and give its consent in writing.

10 CFR 30.34(b) states: "No license issued or granted pursuant to the regulations in this part and parts 31 through 36, and 39 nor any right under a license shall be transferred, assigned or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of any license to any person, unless the Commission shall, after securing full information, find that the transfer is in accordance with the provisions of the Act and shall give its consent in writing."

As previously indicated, the staff evaluation is based on guidance in NUREG-1556, Volume

15. As discussed in NUREG-1556, Volume 15, NRC is generally using the term “change of control” rather than the statutory term “transfer” to describe the variety of events that could require prior notification and written consent of the NRC. The central issue is whether the authority over the license has changed. Hartford Heart, LLC’s request for consent describes a direct change of control resulting from a planned sale between Connecticut Multispecialty Group, P.C. and Hartford Heart, LLC. Following the completion of the sale, the location at 478 Burnside Avenue, Suite 201, East Hartford, Connecticut will become a location of use for Connecticut Multispecialty Group, P.C., and, as such, the transfer requires NRC consent.

DESCRIPTION OF TRANSACTION

The transaction is described in ADAMS accession numbers ML13296A346, ML14028A112, ML14114A354, and ML14135A432. After completion of the sale, the location at 478 Burnside Avenue, Suite 201, East Hartford, Connecticut will become a location of use for Connecticut Multispecialty Group, P.C. under Materials License No. 06-14854-01 and the Hartford Heart, LLC Materials License No. 06-31401-01 will be terminated. The NRC staff finds that the request for consent adequately provides a complete and clear description of the transaction, and is consistent with the guidance provided in Appendix F of NUREG-1556, Volume 15.

TRANSFeree’S COMMITMENT TO ABIDE BY THE TRANSFEROR’S COMMITMENTS

The NRC staff finds that the information submitted by Hartford Heart, LLC sufficiently describes and documents the commitments made by Connecticut Multispecialty Group, P.C. and Hartford Heart, LLC, and is consistent with the guidance in NUREG-1556, Volume 15.

ENVIRONMENTAL REVIEW

An environmental assessment for this action is not required since this action is categorically excluded under 10 CFR 51.22(c)(14)(xi).

CONCLUSION

The staff has reviewed the request for consent submitted by both parties with regard to a direct change of control of byproduct materials license No. 06-31401-01 and approves the application pursuant to 10 CFR 30.34(b).

The submitted information sufficiently describes the transaction; documents the understanding of the license and commitments; demonstrates that personnel have the experience and training to properly implement and maintain the license and that they will maintain the existing records; And, in the future, will abide by all existing commitments to the license, consistent with the guidance in NUREG-1556, Volume 15.

Therefore, the staff concludes that the proposed change in control would not alter the previous findings, made under 10 CFR Part 30, that licensed operations will not be inimical to the common defense and security, or to the health and safety of the public.