

**SAFETY EVALUATION REPORT
PROPOSED TRANSFER OF CONTROL FOR BYPRODUCT MATERIALS LICENSE
NUMBERS 06-14854-01, CONNECTICUT MULTISPECIALTY GROUP, P.C. AND 06-
28798-01, GROVE HILL MEDICAL CENTER, P.C.**

DATE: April 20, 2016

DOCKET NO.: 030-08163; Connecticut Multispecialty Group, P.C.
030-32975; Grove Hill Medical Center, P.C.

LICENSE NO.: 06-14854-01; Connecticut Multispecialty Group, P.C.
06-28798-01; Grove Hill Medical Center, P.C.

LICENSEE: Connecticut Multispecialty Group, P.C.
2110 Silas Deane Highway
Rocky Hill, Connecticut 06067

Grove Hill Medical Center, P.C.
300 Kensington Avenue
New Britain, Connecticut 06051

TECHNICAL REVIEWER: Robert Gallagher

SUMMARY AND CONCLUSIONS

Connecticut Multispecialty Group, P.C. is authorized by U.S. Nuclear Regulatory Commission (NRC) License Number 06-14854-01 for the possession and use of byproduct material for the purpose of medical diagnosis. Grove Hill Medical Center, P.C. is authorized by NRC License Number 06-28798-01 for the possession and use of byproduct material for the purpose of medical diagnosis. The NRC staff reviewed a request for consent to a direct license transfer submitted by Connecticut Multispecialty Group, P.C. that resulted when Grove Hill Medical Center merged with and into Connecticut Multispecialty Group, P.C. (CMG) effective January 1, 2016. On the effective date, CMG changed its name to Starling Physicians, P.C.

The transfer of control is described in Agency Documents Access and Management System (ADAMS) package accession number ML15365A504 [letter dated December 18, 2015].

The request for consent was reviewed by NRC staff for a direct transfer of control of a 10 CFR 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 CMG sufficiently describes and documents the transaction and commitments made by Starling Physicians, P.C.

As required by 10 CFR 30.34 and section 184 of the Atomic Energy Act of 1954 (the Act), as amended, NRC staff has reviewed the application and finds that the proposed transfer of control is in accordance with the Act. The staff finds that Starling Physicians, P.C. is qualified to use byproduct material for the purpose requested, and will have the equipment, facilities, and

procedures needed to protect public health and safety, and promote the common defense and security.

Based on information provided, we understand that as a result of a merger between Connecticut Multispecialty Group, P.C. and Grove Hill Medical Center, P.C., control of Grove Hill Medical Center, P.C. was directly transferred to Connecticut Multispecialty Group, P.C. At the completion of this merger, on January 1, 2016, Connecticut Multispecialty Group, P.C., changed its name to Starling Physicians, P.C.

As a result of the merger, License No. 06-28798-01, issued to Grove Hill Medical Center, P.C. has been terminated. License No. 06-14854-01, issued to Connecticut Multispecialty Group, P.C. has been amended to: (1) reflect the name change to Starling Physicians, P.C.; (2) add the facility located at One Lake Street, Building A, 2nd Floor, Cardiology, New Britain, Connecticut formerly occupied by Grove Hill Medical Center; and (3) add the two authorized users formerly on the Grove Hill Medical Center license.

SAFETY AND SECURITY REVIEW

According to data obtained from the NRC's Licensing Tracking System, CMG has been authorized to use byproduct material for medical purposes since November 26, 1971. Grove Hill Medical Center has been authorized to use byproduct material for medical purposes since January 25, 1993. The NRC conducted a main office inspection of CMG on July 2, 2015, and conducted a main office inspection of Grove Hill Medical Center on May 30, 2012. No violations were identified during these inspections. As stated in commitments submitted to the NRC, Starling Physicians, P.C.:

- A. will not change the radiation safety officer listed in the NRC license issued to CMG (License No. 06-14854-01);
- B. will not change the personnel involved in licensed activities with the exception of the management contact, Lori Vinci, Director of Clinical Operations;
- C. will not change the locations, facilities, and equipment authorized in the NRC license;
- D. will not change the radiation safety program authorized in the NRC license;
- E. will change the organization's name listed in the NRC license to Starling Physicians, P.C.; and
- F. will keep required surveillance records and decommissioning records.

CMG (License Number 06-14854-01 that authorizes byproduct material permitted by 10 CFR 35.200 and 35.500) and Grove Hill Medical Center, P.C. (License Number 06-28798-01 that authorizes byproduct material permitted by 10 CFR 35.100, 35.200 and 35.500) both have active NRC Licenses. Therefore, for security purposes, CMG (now named Starling Physicians, P.C.) is considered a known entity following the guidance provided by the NRC's Office of Nuclear Material Safety and Safeguards (NMSS) "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.

Starling Physicians, P.C. is not required to have decommissioning financial assurance based on the types and amount of material authorized in License No. 06-14854-01 and License No. 06-28798-01. Under the merger the transferee, CMG (now named Starling Physicians, P.C.), assumed the assets and liabilities of the transferor, Grove Hill Medical Center, P.C.

REGULATORY FRAMEWORK

License Nos. 06-14854-01 and 06-28798-01 were issued under 10 CFR Part 30, Rules of General Applicability to Domestic Licensing of Byproduct Material. The NRC is required by 10 CFR 30.34(b) to determine if the transfer of control is in accordance with the provisions of the Act and, if so, give its consent to the transaction in writing.

10 CFR 30.34(b)(1) 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. The central issue is whether the authority over the license has changed. CMG’s request for consent describes a direct transfer of control resulting from the merger of Grove Hill Medical with and into CMG. Following the completion of the merger both medical facilities are under the control of CMG. On the effective date of the merger, January 1, 2016 CMG changed its name to Starling Physicians, P.C.

DESCRIPTION OF TRANSACTION

The transaction is described in ADAMS package accession number ML15365A504 [letter dated December 18, 2015]. After completion of the merger, Grove Hill Medical Center, P.C. will cease to exist; the licensee will become the Connecticut Multispecialty Group, P.C. 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 CMG sufficiently describes and documents the commitments made by both parties, and is consistent with the guidance in NUREG-1556, Volume 15.

ENVIRONMENTAL REVIEW

An environmental assessment for this action is not required because this approval of the described transfer of control and the associated administrative license amendment are categorically excluded under 10 CFR 51.22(c)(21).

CONCLUSION

The staff has reviewed the request for transfer of control with regard to a transfer of control of byproduct materials License No. 06-14854-01 and License No. 06-28798-01 and, pursuant to 10 CFR 30.34(b), consents to the direct transfer of control.

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. The submitted information also demonstrates that the transferee will abide by all existing commitments to the license, consistent with the guidance in NUREG-1556, Volume 15.

Therefore, the NRC staff concludes that the proposed transfer of 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.