

**SAFETY EVALUATION REPORT  
PROPOSED CHANGE OF CONTROL FOR BYPRODUCT MATERIALS LICENSE  
NUMBER 06-28502-01, *Connecticut Imaging Partners, LLC***

**DATE:** March 25, 2021

**DOCKET NO.:** 030-31642

**LICENSE NO.:** 06-28502-01

**LICENSEE:** Connecticut Imaging Partners, LLC  
11 Founders Plaza, Suite 400  
East Hartford, CT 06108

**TECHNICAL REVIEWER:** Robin L. Elliott

**SUMMARY AND CONCLUSIONS**

Connecticut Imaging Partners, LLC (CIP) is authorized by NRC License 06-28502-01 for the possession and use of byproduct material for purposes of medical use. The U.S. Nuclear Regulatory Commission (NRC) staff reviewed a request for consent to an indirect license transfer submitted by CIP. The consent to an indirect license transfer is pursuant to Radiology Partners, Inc. (Radiology Partners) acquiring Mednax, which provides management services to CIP. Additionally, Jefferson Radiology, P.C. is a co-owner of CIP, and its owner, Dr. Kurt Pickert, M.D., intends to sell his equity interest to Anthony Gabriel, M.D. and Nina Kotter, M.D. in equal shares. The indirect transfer of control is described in Agency Documents Access and Management System (ADAMS) accession number ML20338A157.

The request for consent was reviewed by NRC staff for an indirect change in control of a 10 CFR Part 30 license using the guidance in NUREG-1556, Volume 15, Revision 1, "Consolidated Guidance About Materials Licenses - Guidance About Changes of Control and About Bankruptcy Involving Byproduct, Source, or Special Nuclear Materials Licenses," dated June 2016. The NRC staff finds that the information submitted by CIP sufficiently describes and documents the transaction and commitments made by Radiology Partners and CIP.

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, CIP 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 Web Based Licensing system, CIP has been an NRC licensee since May 15, 1990. The NRC conducted a main office inspection of CIP on February 13, 2020 and cited four Severity Level IV violations. CIP submitted corrective and preventative actions to address the cited violations on May 29, 2020. The commitments made by Radiology Partners and CIP state that CIP (*License No. 06-28502-01*):

- A. will not change the radiation safety officer listed in the NRC license;

- B. will not change the personnel involved in licensed activities;
- 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 not change the organization's name listed in the NRC license; and
- F. will keep regulatory required surveillance records and decommissioning records.

Anthony Gabriel, M.D. serves as the Chief Operating Officer and Nina Kottler, M.D. serves as the Associate Chief Medical Officer for Radiology Partners. Through the purchase of equity stakes in Jefferson Radiology, they will obtain a minority interest in CIP. In addition, Radiology Partners, Inc. is the parent company of Austin Radiological Association St. David's Imaging, LP, which holds Texas Radioactive Material License #L00545. Because Radiology Partners has a subsidiary with an Agreement State license, the NRC does not need to perform a pre-licensing visit to obtain reasonable assurance that licensed activities and licensed material will be used for its intended purpose and not for malevolent use.

CIP is not required to have decommissioning financial assurance based on the types and amount of material authorized in License No. 06-28502-01.

## **REGULATORY FRAMEWORK**

CIP's License No. 06-28502-01 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, Vol. 15, Rev. 1. CIP's request for consent describes an indirect change of control resulting from a planned sale of Jefferson Radiology, P.C.. Following the sale, CIP will remain 51% owned by Hartford Hospital and 49% by Drs. Kottler and Gabriel in equal shares; however, according to the CIP operating procedures, Jefferson Radiology, P.C. holds a negative control of CIP through its three board members. As a result, the transaction is determined to be an indirect change of control of CIP and, as such, the transfer requires NRC consent.

## **DESCRIPTION OF TRANSACTION**

The transaction is described in ADAMS accession number ML20338A157. After completion of the acquisition, CIP will continue as the licensee and remain in control of all licensed activities under Materials License No. 06-28502-01. 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, Vol. 15, Rev. 1.

### **TRANSFeree'S COMMITMENT TO ABIDE BY THE TRANSFEROR'S COMMITMENTS**

The NRC staff finds that the information submitted by CIP sufficiently describes and documents the commitments made by Radiology Partners and CIP 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)(21).

### **CONCLUSION**

The staff has reviewed the request for consent submitted by both parties with regard to an indirect change of control of byproduct materials license No. 06-28502-01 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.