



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION I
475 ALLENDALE ROAD – SUITE 102
KING OF PRUSSIA, PA 19406-1415

September 21, 2023

Brian Sarter, M.D.
Vice President and Corporate Compliance Officer
Cardiology Physicians P.A.
One Centurian Drive, Suite 200
Newark DE 19713

**SUBJECT: CARDIOLOGY PHYSICIANS P.A., REQUEST FOR ADDITIONAL
INFORMATION, MAIL CONTROL NO. 637115**

Dear Dr. Sarter:

This is in reference to your letters dated September 5, 2023, and September 14, 2023, requesting to amend NRC License No. 07-30713-01. In order to continue our review, we need the following additional information. Please be aware that the following requests are primarily derived from 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" found at <https://www.nrc.gov/docs/ML1618/ML16181A003.pdf>.

1. Your submittal described the proposed ownership chain for the licensee. Under the proposed structure, the licensee will be owned by Heart & Vascular Partners, LLC. Heart & Vascular Partners, LLC will ultimately be minority owned by the current physician owners (transferor) and majority owned by "Other Investors" (transferee). Please provide the following:
 - a. Provide the names of the individuals and/or organizations of the "Other Investors" described as the majority owner(s) of the new Heart and Vascular Partners HoldCo LLC and, therefore, the licensee.
 - b. Confirm whether this/these individuals or organizations possess any NRC or Agreement State licenses to possess and utilize radioactive materials.
 - c. If this/these individuals or organizations do possess such licensure, please provide the names of the licensed entities and their associated license numbers. If it is an Agreement State license, please also state the Agreement state that issued the license for verification.
2. The ownership diagram in your letter dated September 14, 2023, appears to imply a name change of the licensee from "Cardiology Physicians P.A.". Please confirm your desire to change the licensee's name listed on NRC License No. 07-30713-01 to "Cardiology Physicians, LLC" or "Cardiology Physicians, LLC f/k/a Cardiology Physicians, P.A.".
3. Your application stated that "The location equipment, and procedures will not change as a result of the Transaction" and that "Personnel listed on, and associated with, the License will not change as a result of the Transaction." However, this does not include all the requested information. Please describe any changes to the radiation safety

program, use, possession, or waste management, or other procedures that relate to the licensed program.

4. Your application stated that “All surveillance has been performed, documented and reviewed on a timely basis” and that “No decommissioning or records transfers will be required as a result of the transaction.” However, this does not explicitly confirm what is meant by “surveillance”. Describe the status of the licensee’s radiation safety program, including any known contamination and whether decontamination will occur prior to transfer. Include the status of calibrations, leak tests, area surveys, wipe tests, training, quality control, and related records.
5. Confirm that all records concerning the safe and effective decommissioning of the facility will be transferred to the transferee or to NRC, as appropriate. These records include documentation of surveys of ambient radiation levels and fixed and/or removable contamination, including methods and sensitivity. For example, these may include surveys performed at the end of each day of use or weekly wipe tests performed during weeks of use.
6. Confirm that both transferor and transferee agree to transferring control of the licensed material and activity, and the conditions of transfer, and that the transferee has been made aware of any open inspection items and its responsibility for possible resulting enforcement actions.
7. Confirm that the transferee will abide by all constraints, conditions, requirements, representations, and commitments of the transferor or that the transferee will submit a complete description of the proposed licensed program.

We will continue our review upon receipt of this information. Please reply to my attention at Jonathan.Pfingsten@nrc.gov.

In order to continue prompt review of your application, we request that you submit your response to this letter within 30 calendar days from the date of this letter.

An electronic version of the NRC’s regulations is available on the NRC Web Site at: www.nrc.gov. Additional information regarding medical uses of radioactive materials may be obtained on the NRC Web Site at: <http://www.nrc.gov/materials/miau/med-use-toolkit.html>. This site also provides the updated Training and Experience NRC Form 313A series of forms and guidance, as well as information on the revised regulations for naturally-occurring and accelerator-produced radioactive materials (NARM).

In accordance with 10 CFR 2.390 of the NRC’s “Rules of Practice,” a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the NRC’s document system (ADAMS). ADAMS is accessible from the NRC Web Site at: <http://www.nrc.gov/reading-rm/adams.html>. Please be aware that you may request that certain portions of your submittal to NRC be withheld from public disclosure as proprietary information. To do this, you must execute an affidavit as specified in 10 CFR 2.390. You must list all portions that you wish to be held proprietary, along with your reasoning as to why that is appropriate. While it is allowable, please refrain from submitting proprietary information in support of a license unless necessary. Keep in mind that all NRC licenses are considered to be in the public domain, and therefore may be viewed by any member of the public who requests to see them.

If you have any questions regarding this request for additional information, please contact me at 610-337-5170 or via electronic mail at Jonathan.Pfingsten@nrc.gov.

Thank you for your cooperation.

Sincerely,

Jonathan Pfingsten, Senior Health Physicist
Medical and Licensing Assistance Branch
Division of Radiological Safety and Security
Region I

License Number: 07-30713-01

Docket Number: 030-35921

Mail Control Number: 637115

cc: Gaetano Pastore, M.D., RSO
Elizabeth Sullivan, Member, McDonald Hopkins LLC

CARDIOLOGY PHYSICIANS P.A., REQUEST FOR ADDITIONAL INFORMATION, MAIL CONTROL NO. 637115 DATED SEPTEMBER 21, 2023

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SUNSI Review Complete: Jonathan Pfingsten

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