



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

November 7, 2023

Brian Sarter, VP and COO  
Cardiology Physicians P.A.  
Abby Medical Center  
One Centurian Drive, Suite 200  
Newark, DE 19713

SUBJECT: CARDIOLOGY PHYSICIANS P.A., REQUEST FOR ADDITIONAL  
INFORMATION, MAIL CONTROL NO. 637677

Dear Dr. Sarter:

This is in reference to your letter dated October 26, 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. The guidance document asks you to describe any changes in the location, facilities, equipment, radiation safety program, use, possession, waste management, or other procedures that relate to the licensed program. Your letter contained contradictory statements concerning whether operations currently occur and/or will continue at only two or all three of the locations authorized on the license following the transaction(s). Please provide additional information on the status of operations at 910 Foulk Road, Suite 201, Wilmington, DE, 19808. If you are requesting the location be removed from the license, provide the information requested in Form 314 (<https://www.nrc.gov/docs/ML1308/ML13083A079.pdf>) for this location only. Please note that the form is intended for requesting full license terminations, therefore, please provide just the information requested (e.g., cessation of activities, means of material transfer or disposal) for this location only **without requesting license termination**.
2. The guidance document asks you to describe the status of the licensee’s facilities, equipment, and 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. 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”. Therefore, 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. Please note that many of these records are required to be maintained by regulations and will be reviewed in a future inspection.
3. The proposed transaction involves a new individual purchasing a 100% stake in the

CPPA, the owner of the license. In prior discussions, it was our understanding that the purchaser was a current member of the CPPA ownership; however, as described in your October 26, 2023, letter, he is not a current member of the CPPA ownership structure. Therefore, additional information is required concerning Dr. Aaron Snyder. Please confirm whether any of the following apply:

- a. Does the applicant or proposed new owner have a current Agreement State or NRC license for radioactive material? If so, please provide the license number and identify the jurisdiction in which the license is held.
  - b. Is the scope of the request limited to a change of control (e.g., direct transfer, indirect transfer) where the transferee: (1) holds either an Agreement State or NRC radioactive materials license; or (2) is the parent company to an entity that holds either an Agreement State or NRC radioactive materials license? If so, please provide the license number and identify the jurisdiction in which the license is held.
  - c. Is the applicant requesting an authorization for activities within the scope of existing operations for which it currently holds a non-radioactive material State or federal government license/registration/ authorization? If so, please provide the license number and identify the jurisdiction in which the license is held.
4. The proposed transactions include a management services agreement between the licensee and an entity ultimately owned by US Health Partners, LLC. Your submittal confirmed the parties expressly agree that such management will not interfere with the ultimate authority of Cardiology Physicians, P.A. (CPPA), soon to be Cardiology Physicians, LLC, in connection with the license. However, we need some additional information concerning the implementation of this agreement US Health Partners, LLC and the licensee.
- a. With respect to the roles and responsibilities of US Health Partners, LLC, please provide the following:
    - i. Will US Health Partners, LLC be taking responsibility from CPPA for administration of all facility functions, for radiation safety activities, and for providing onsite management and/or continuing oversight of licensed activities?
    - ii. Will US Health Partners, LLC have the authority to request audits and receive audit reports instead of Dr. Aaron Snyder?
    - iii. Will US Health Partners, LLC have the responsibility for procedure development and implementation concerning NRC licensed activities?
    - iv. Will US Health Partners, LLC have the responsibility for records retention and reporting concerning NRC licensed activities?
  - b. If the answer to any question(s) in 4.a above was "Yes", please provide the following information for US Health Partners, LLC:
    - i. Does the applicant or proposed new owner have a current Agreement State or NRC license for radioactive material? If so, please provide the license number and identify the jurisdiction in which the license is held.
    - ii. Is the scope of the request limited to a change of control (e.g., direct

transfer, indirect transfer) where the transferee: (1) holds either an Agreement State or NRC radioactive materials license; or (2) is the parent company to an entity that holds either an Agreement State or NRC radioactive materials license? If so, please provide the license number and identify the jurisdiction in which the license is held.

- iii. Is the applicant requesting an authorization for activities within the scope of existing operations for which it currently holds a non-radioactive material State or federal government license/registration/ authorization? If so, please provide the license number and identify the jurisdiction in which the license is held.

We will continue our review upon receipt of this information. Please reply to my attention at [Jonathan.Pfingsten@nrc.gov](mailto:Jonathan.Pfingsten@nrc.gov).

In order to continue prompt review of your application, we request that you submit your response to this letter within 10 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](http://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.

B. Sarter

4

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](mailto: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 No. 07-30713-01  
Docket No. 030-35921  
Mail Control No. 637677

cc: Elizabeth Sullivan, Counsel

CARDIOLOGY PHYSICIANS P.A., REQUEST FOR ADDITIONAL INFORMATION, MAIL CONTROL NO. 637677 DATED NOVEMBER 7, 2023

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SUNSI Review Complete: Jonathan Pfingsten

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| NAME   | JPfingsten/JBP |   |  |  |  |  |  |
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