



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

December 26, 2023

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

**SUBJECT: CARDIOLOGY PHYSICIANS, LLC, ACCEPTANCE OF NOTIFICATION OF
CHANGE OF CONTROL, MAIL CONTROL NO. 637677**

Dear Dr. Sarter:

By letter dated October 26, 2023 (Agencywide Documents Access and Management System (ADAMS) Accession Number ML23300A030), Cardiology Physicians, P.A. submitted to the U.S. Nuclear Regulatory Commission (NRC) a request for written consent to an indirect transfer of control of NRC Materials License number 07-30713-01. In accordance with Section 184 of the Atomic Energy Act of 1954, as amended (AEA), and 10 CFR 30.34, the NRC consents to the transfer. Following this transfer, the licensee's name is changing from Cardiology Physicians, P.A. to Cardiology Physicians, LLC.

Cardiology Physicians P.A. is authorized by the NRC for the possession and use of byproduct material under Part 30. By letter dated October 26, 2023, Cardiology Physicians P.A. requested written consent to the indirect transfer of control of its license from the NRC. Because the license was issued under 10 CFR Part 30, "Rules of General Applicability to Domestic Licensing of Byproduct Material," the NRC must find that the transfer is in accordance with the provisions of the AEA and, if so, must give its consent in writing prior to the transfer, in accordance with Section 184 of the AEA and 10 CFR 30.34(b). Additionally, the NRC staff reviewed the indirect transfer of control request 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.

10 CFR 30.34(b) states:

- (1) No license issued or granted pursuant to the regulations in [parts 30] 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.
- (2) An application for transfer of license must include:
 - (i) The identity, technical and financial qualifications of the proposed transferee; and

- (ii) Financial assurance for decommissioning information required by [10 CFR] 30.35.

As described in ADAMS package accession number ML23300A027, the indirect transfer of control will result from a combined asset and equity transaction. Cardiology Physicians P.A. will sell its non-clinical assets to a yet to be formed subsidiary, owned by ultimate parent company US Health Partners, LLC and the ownership interests of all current physician owners in Cardiology Physicians P.A. will be transferred to Dr. Aaron Snyder (the "Transaction"). In addition, CPPA will convert from a professional association to a limited liability corporation, resulting in a technical name change from "Cardiology Physicians, P.A." to "Cardiology Physicians, LLC." Post-Transaction, Cardiology Physicians P.A. intends to engage US Health Partners, LLC to provide certain non-clinical (i.e., administrative) management services to Cardiology Physicians P.A.; however, the parties expressly agree that such management will not interfere with the ultimate authority of Cardiology Physicians P.A. in connection with the license. Additionally, it should be noted that Dr. Aaron Snyder is part owner and CEO of US Health Partners, LLC. The NRC staff finds that the licensee request adequately provides a complete and clear description of the proposed transaction, consistent with 10 CFR 30.34(b) and Chapter 5 and Appendix E of NUREG-1556, Vol. 15, Rev. 1. The sufficiency of the description is evaluated below.

The request for an indirect transfer of ownership was posted for public comment on the NRC website for 30 days in accordance with 10 CFR Part 2, Subpart M and as described in NRC's Regulatory Issue Summary 2014-08, Revision 1. No comments were received from members of the public.

In the request for an indirect transfer of ownership, Cardiology Physicians, P.A. provided information regarding its current decommissioning funding plans. Based on the information provided, Cardiology Physicians, P.A. is not required to have financial assurance for decommissioning because of the types and amount of material authorized in its license. The NRC staff finds that the licensee's request adequately provided information for financial assurance for decommissioning, consistent with 10 CFR 30.34(b) and Chapter 5 and Appendix E of NUREG-1556, Vol. 15, Rev. 1.

Further, the NRC conducted an inspection of Cardiology Physicians P.A. on 04/06/2022 at the licensee's Newark and Wilmington, DE facilities. The NRC identified one Severity Level IV violation for failing to ensure that each of its hazmat employees is tested by appropriate means on the training subjects covered in 10 CFR 172.704. Specifically, a nuclear medicine technologist was trained on all applicable DOT regulations but was not tested.

Additionally, as described in the change of control request, Dr. Aaron Snyder commits that he, as owner of Cardiology Physicians P.A.:

- 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 keep regulatory required surveillance records and decommissioning records;

Based on these commitments, the NRC staff finds that the licensee request adequately documents the constraints, license conditions, requirements, representations, and commitments made by the transferee, consistent with 10 CFR 30.34(b) and Chapter 5 and Appendix E of

NUREG-1556, Vol. 15, Rev. 1. The licensee's name will change as a result of converting from a professional association to a limited liability company. However, this change will not have a material effect on the licensed activities.

Dr. Aaron Snyder was determined to be an unknown entity at the time of the change of control request. As a result, a pre-licensing visit was performed for Dr. Aaron Snyder. The NRC staff used the guidance provided by the NRC's Office of Nuclear Material Safety and Safeguards' "Checklist to provide a basis for confidence that radioactive materials will be used as specified on the application," January 29, 2019 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. Therefore, for security purposes, Dr. Aaron Snyder is considered a known entity because he provided adequate confidence of his real identity and legitimate business interests in purchasing the licensee during a pre-licensing visit conducted December 14, 2023, and the submittal of requested information and associated documentation.

An environmental assessment for this action is not required because this action is categorically excluded under 10 CFR 51.22(c)(21).

The staff has reviewed the request for an indirect transfer of control of 07-30713-01. The NRC staff finds that the indirect transfer of control is in accordance with Section 184 of the AEA and 10 CFR 30.34(b) and consents to the transfer. Please note that you will need to notify us promptly, in writing, after the transaction has been finalized and include a signed copy of the sales agreement confirming completion of the transaction. If this planned sale has not been consummated within 30 days of the date of this letter, please notify us in writing.

Future changes in the licensee's name, licensed use, licensed materials, licensed location, persons responsible for licensed material, or other changes to the corporate organizational structure require submission of a request to amend the license or a request to transfer the license. NRC approval must be received prior to implementation of any such proposed change.

In accordance with 10 CFR 2.390, a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC website at <https://www.nrc.gov/reading-rm/adams.html>. If you have any questions regarding this letter, please contact Jonathan Pfingsten at 610-337-5170 or via electronic mail at Jonathan.Pfingsten@nrc.gov.

B. Sarter

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Thank you for your cooperation in this matter.

Sincerely,

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

License Number: 07-30713-01

Docket Number: 030-35921

Mail Control Number: 637677

cc: Gaetano Pastore, Radiation Safety Officer
Aaron Snyder, Owner

CARDIOLOGY PHYSICIANS, LLC, ACCEPTANCE OF NOTIFICATION OF CHANGE OF CONTROL, MAIL CONTROL NO. 637677 DATED DECEMBER 26, 2023

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SUNSI Review Complete: Jonathan Pfingsten

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