



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

April 27, 2005

Docket No. 03036446
Control No. 136637

License No. 37-30854-01

Kim E. Zadeh
Practice Manager
Feinberg Cardiology & Critical Care
2135 Noll Drive
Lancaster, PA 17601

SUBJECT: FEINBERG CARDIOLOGY & CRITICAL CARE, REQUEST FOR ADDITIONAL
INFORMATION CONCERNING APPLICATION FOR AMENDMENT TO
LICENSE, CONTROL NO. 136637

Dear Ms. Zadeh:

This is in reference to your letter dated March 22, 2005, requesting to amend Nuclear Regulatory Commission License No. 37-30854-01. In order to continue our review, we need the following additional information:

1. Your application should have been signed by a person who has a controlling interest in the facility (e.g. ownership or authority designated by the owners) rather than the practice manager. Please submit a letter signed by a person who has a controlling interest indicating that the ownership has reviewed the application and concurs in the statements and representations contained therein. Note also that a person who has a controlling interest in the facility should sign all future correspondence that requests a change in your license.
2. It appears from your letter that a possible change of ownership (control) has occurred. Licensees must provide full information and obtain NRC's **prior written consent** before transferring control of the license. Control of a license is in the hands of the person or persons who are empowered to decide when and how that license will be used. That control is to be found in the person or persons who, because of ownership or authority explicitly delegated by the owners, possess the power to determine corporate policy and thus the direction of the activities under the license. A transferee is an entity that proposes to purchase or otherwise gain control of an NRC-licensed operation. A transferor is an NRC licensee selling or otherwise giving up control of a licensed operation. Provide the following information concerning changes of control by the applicant (transferor and/or transferee, as appropriate). If any items are not applicable, so state.
 - a. Provide a complete description of the transaction (transfer of stocks or assets, or merger).

- b. Indicate whether the name has changed and include the new name. Include the name and telephone number of a licensee contact who NRC may contact if more information is needed.
- c. Describe any changes in personnel or duties that relate to the licensed program. Include training and experience for any new personnel.
- d. Describe any changes in the organization, location, facilities, equipment or procedures that relate to the licensed program.
- e. Describe the status of the surveillance program (surveys, wipe tests, quality control) at the present time and the expected status at the time that control is to be transferred.
- f. 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.
- g. Confirm that the transferee will abide by all constraints, conditions, requirements and commitments of the transferor or that the transferee will submit a complete description of the proposed licensed program.
- h. If your license requires financial assurance for decommissioning, you will need to address changes to financial assurance for name changes and/or change in ownership (control).

Current NRC regulations and guidance are available at the NRC Web sites listed below or by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 9:00 p.m. EST, Monday through Friday (except Federal holidays).

We will continue our review upon receipt of this information. Please reply to my attention at the Region I Office and refer to Mail Control No. 136637. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5309.

If we do not receive a reply from you within 30 calendar days from the date of this letter, we shall assume that you do not wish to pursue your application.

Sincerely,

Original signed by James P. Dwyer

James P. Dwyer, Chief
Commercial and R&D Branch
Division of Nuclear Materials Safety

K. Zadeh
Feinberg Cardiology & Critical Care

3

NRC Web site addresses

NRC regulations

<http://www.nrc.gov/reading-rm/doc-collections/cfr/>

Licensing guidance

<http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/>

General Policy and Procedure for NRC Enforcement Actions

<Http://www.nrc.gov/what-we-do/regulatory/enforcement/enforc-pol.pdf>

206 of the Energy Reorganization Act of 1974

<http://www.nrc.gov/who-we-are/governing-laws.html>

cc:

Paul Collura, M.D., Radiation Safety Officer

K. Zadeh
Feinberg Cardiology & Critical Care

4

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