



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

September 26, 2007

Docket No. 03034716
Control No. 141048

License No. 29-30448-01

Gary J Rogal, M.D.
President
Diagnostic and Clinical Cardiology, P.A.
769 Northfield Avenue, Suite 220
West Orange, NJ 07052

SUBJECT: DIAGNOSTIC AND CLINICAL CARDIOLOGY, P.A., REQUEST FOR
ADDITIONAL INFORMATION CONCERNING APPLICATION FOR
AMENDMENT TO LICENSE, CONTROL NO. 141048

Dear Dr. Rogal:

This is in reference to your letter dated August 25, 2007 requesting to amend Nuclear Regulatory Commission License No. 29-30448-01. In order to continue our review, we need the following additional information:

1. In your letter dated August 25, 2007, you state in Item 2 that the facilities at 769 Northfield Avenue, Suite 130, West Orange, NJ, are to be transferred to Essex Cardiology Group on October 1, 2007. 10 CFR 30.34(b) requires that the NRC receive a complete, clear description of the transaction. Please indicate whether there were any transfers of stocks or other tangible assets besides the facility and the associated equipment and whether your organization has split resulting in the creation of two entities.
2. The signature lines of your letter have you and Stephen Levy, M.D. described as management. Review of the letter determined in Item 2 that Dr. Levy is the Administrator of Essex Cardiology Group. Review of previously submitted documents determined that you are the president of your organization. Please confirm that future applications for amendments to your license shall have the title of the individual signing the document so that the Commission can determine that an appropriate level of licensee management has reviewed the request.
3. It is our understanding from a review of your letter that you want to authorize the turnover of your facilities at 769 Northfield Avenue, Suite 130, West Orange, NJ to Essex Cardiology Group on October 1, 2007, without decontaminating the facility. The Commission cannot guarantee that this licensing action will be completed by October 1, 2007. On September 26, 2007, I spoke with Mark Brown, the administrator of your facility. It is our understanding from this telephone discussion that licensed activities will continue under your license in Suite 130 until such time as a license is issued to Essex Cardiology Group. If our understanding is incorrect, please inform us in writing.

G. Rogal
Diagnostic and Clinical Cardiology, P.A.

2

4. Please confirm that once you have completed licensed activities at 769 Northfield Avenue, Suite 130, West Orange, NJ facility that you will turn over all records, maintaining copies, of records involving quality control, physical inventories, and surveillance to Essex Cardiology Group.

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, Academic, and Industrial Uses of Nuclear Material**; then **Regulations, Guidance, and Communications**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 7:00 a.m. to 8:00 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. 141048. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5075.

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

Sincerely,

Original signed by Steven Courtemanche

Steven Courtemanche
Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety

cc:
Sabino R. Torre, M.D., Radiation Safety Officer

G. Rogal
Diagnostic and Clinical Cardiology, P.A.

3

DOCUMENT NAME: C:\FileNet\ML072720002.wpd

SUNSI Review Complete: SCourtemanche

After declaring this document "An Official Agency Record" it will be released to the Public.

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/ attach/encl "N" = No copy

| | | | | | | | | |
|--------|---------------------|----------------------------|---------|--------------------------|---------|--------------------------|--|--------------------------|
| OFFICE | DNMS/RI | <input type="checkbox"/> N | DNMS/RI | <input type="checkbox"/> | DNMS/RI | <input type="checkbox"/> | | <input type="checkbox"/> |
| NAME | SCourtemanche /SRC/ | | | | | | | |
| DATE | 09/26/2007 | | | | | | | |

OFFICIAL RECORD COPY