



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PA 19406-2713

March 11, 2016

Docket No. 03037326
Control No. 589790

License No. 52-31182-01

Luis Rosado, M.D.
Owner
Clínica Cardiovascular de Guaynabo
P.O. Box 965
Guaynabo, PR 00970-0965

SUBJECT: CLÍNICA CARDIOVASCULAR DE GUAYNABO, LICENSE AMENDMENT,
CONTROL NO. 589790

Dear Dr. Rosado:

This refers to your license amendment request received December 29, 2015. Enclosed with this letter is the amended license changing the Radiation Safety Officer to David Rhoe, M.S. and adding Juan Fontanez Nieves, M.D. as an authorized user.

Please note that we are not approving the change of ownership of Clínica Cardiovascular de Guaynabo from Luis Rosado, M.D. to Juan Fontanez Nieves, M.D. at this time. A request for additional information was sent out on January 11, 2016 to determine the details of the sale, and we have been unable to get a response either by phone or mail. Based on a conversation with Mr. David Rhoe on March 10, 2016, it is our understanding that the program is currently inactive and that the sale has not yet occurred. Please resubmit your request for approval for the change of ownership and include the following additional information:

1. Section 184 of the Atomic Energy Act of 1954, as amended, and the NRC's regulations at 10 CFR 30.34(b)(1) require that no license issued or granted 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. Please confirm that control of Clínica Cardiovascular de Guaynabo's license, licensed activities, and licensed material will not be transferred directly or indirectly prior to NRC's approval and written consent. Please also indicate the date that the sale is expected to occur.
2. Please confirm that this transaction is a direct sale of assets, including survey instrumentation, equipment, and radioactive sealed sources, and that the licensee name will remain Clínica Cardiovascular de Guaynabo. Please also indicate if the Employer Identification Number will remain the same. Please also include the name and telephone number of a licensee contact if more information is needed.

3. Please indicate if Roberto P. Bordewyk, M.D. should remain an authorized user on the license. Please confirm there are no other personnel changes, with the exception of authorized users and Radiation Safety Officer.
4. Please provide written confirmation that Juan Fontanez Nieves, M.D. will abide by all constraints, conditions, requirements, and commitments of the transferor (Luis Rosado, M.D. of Clínica Cardiovascular de Guaynabo).
5. It appears that Juan Fontanez Nieves, M.D. will be leasing the space from Luis A. Rosado Carrillo, M.D. Since the facility located at Calle Carazo #11, Guaynabo, Puerto Rico will be controlled by an entity other than the new license owner, please provide documentation of a clear, contractual agreement 1) designating the space for use by Juan Fontanez Nieves, M.D. and Clínica Cardiovascular de Guaynabo; 2) documenting that only Juan Fontanez Nieves, M.D. and his staff will have keys to the designated space; and 3) allowing Juan Fontanez Nieves, M.D. and Clínica Cardiovascular de Guaynabo to access the location of use for the purpose of decontamination or removal of licensed material in the event of disharmony between Juan Fontanez Nieves, M.D. and Luis A. Rosado Carrillo, M.D. This documentation should consist of signed certification from both parties.

Please review the enclosed document carefully and be sure that you understand and fully implement all the conditions incorporated into the amended license. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region I Office, Licensing Assistance Team, (610) 337-5239, so that we can provide appropriate corrections and answers.

An environmental assessment for this action is not required, since this action is categorically excluded under 10 CFR 51.22(c)(14).

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Med, Ind, & Academic Uses**; then **Licensee Toolkits, see our toolkit index page**. 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 8:00 a.m. to 5:30 p.m. EST, Monday through Friday (except Federal holidays).

Thank you for your cooperation.

Sincerely,

Original signed by Janice Nguyen

Janice Nguyen
Senior Health Physicist
Medical Branch
Division of Nuclear Materials Safety

Enclosure:
Amendment No. 3

L. Rosado

3

cc:

David Rhoe, M.S., Radiation Safety Officer

Juan Fontanez Nieves, M.D., Authorized User/Proposed Owner

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SUNSI Review Complete: JNguyen

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