

From: [Gallagher, Robert](#)
To: [Blaine Beining](#)
Cc: [Reid Gadziala](#)
Subject: Diagnostic Laboratories, LLC Request for Additional Information - Control No. 618648
Date: Tuesday, May 05, 2020 8:26:00 AM
Attachments: [image003.png](#)

License No. 41-31476-01
Docket No. 03038552
Control No. 618648

PLEASE CONFIRM RECEIPT OF THE REQUESTED ADDITIONAL INFORMATION BY RETURN EMAIL

Mr. Beining;

During my review of your request to change the Radiation Safety Officer on the NRC license issued to Diagnostic Laboratories, LLC from Blaine Beining to Alexandra Coll I requested contact information for Ms. Coll, including telephone number and email address. When you responded I noticed that the extension to her email address appeared to indicate a separate company, Invivo Molecular Imaging.

Pursuant to 10 CFR 30.34 (b)(91) licensees must provide full information and obtain NRC's **prior written consent** before transferring control of the license. 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.

Definitions:

Control: 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.

Transferee: A transferee is an entity that proposes to purchase or otherwise gain control of an NRC-licensed operation.

Transferor: A transferor is an NRC licensee selling or otherwise giving up control of a licensed operation.

1. Describe any planned changes in the organization, including but not limited to, transfer of stocks or assets and mergers, change in members on Board of Directors, etc. Provide the new licensee name, mailing address, and contact information, including phone numbers. Clearly identify when the amendment request is due to a name change only.
2. Describe any changes in personnel or duties that relate to the licensed program. Include training and experience for new personnel and any changes in the training program.
3. Describe any changes in the location, facilities, equipment, radiation safety program, use, possession, waste management, or other procedures that relate to the licensed program.
4. 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.

5. If current decommissioning funding plans (DFP) will be changed as a result of the transfer, the revised DFP should be submitted. If other financial assurance documents will be changed as a result of the transfer, confirm that all financial assurance instruments associated with the license will be held in the transferee's name before the license is transferred, and as required by 10 CFR 30.35(f), the licensee must, within 30 days, submit financial instruments reflecting such changes.
6. 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.
7. Confirm that both transferor and transferee agree to transferring control of the licensed material and activity, and the conditions of transfer, and that the transferee has been made aware of any open inspection items and its responsibility for possible resulting enforcement actions.
8. Confirm that the transferee will abide by all constraints, conditions, requirements, representations, and commitments of the transferor or that the transferee will submit a complete description of the proposed licensed program.
9. The transferee, in the case of fuel cycle facilities, shall provide documentation showing that it is financially qualified to conduct normal operations. The information can be in the form of income statements and balance sheet forecasts.

We will continue our review upon receipt of the requested information. Please respond within 30 days of the date of this request. You may respond to my attention by letter, email (if the letter is signed by senior management and scanned into a pdf format), or fax (610-337-5269), referencing mail control number 618648. Please note that in light of the COVID-19 pandemic a pdf is preferred. If you have any questions regarding this deficiency request, please contact me at (610) 337-5182.

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).

Regards,

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