

DAF ACTION ITEM TRACKING

Date Rec'd: 08/29/2002

DAF Action: DAF-2-222

OC Action: 2002-319

DAF Due Date: 09/06/2002

Branch: LFARB

Action Item: Invoice received by the Nuclear
Scanning Associates of Western CT

Description:

SECY-02-0557.

Date to DIR:

Ext. Date:

Date Closed:

Subject File:

OCFO TICKET

28-Aug-02

Assigned DAF

Item No 2002-319

Priority 1

From Maloney

Office Cong.

To Rathbun

Date 08/23/2002

Due Date 09/06/2002

Ticket No

Subject Invoice received by the Nuclear
Scanning Associates of Western
Connecticut

Instructions

Distribution

Copies

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Aug 27, 2002 17:18

PAPER NUMBER: LTR-02-0557

LOGGING DATE: 08/27/2002

ACTION OFFICE: ~~EDO~~ C40

AUTHOR: James Maloney

AFFILIATION: REP

ADDRESSEE: Dennis Rathbun

SUBJECT: Concerns licensing invoice....

ACTION: Signature of ~~EDO~~ C40

DISTRIBUTION: OCA to Ack

LETTER DATE: 08/23/2002

ACKNOWLEDGED No

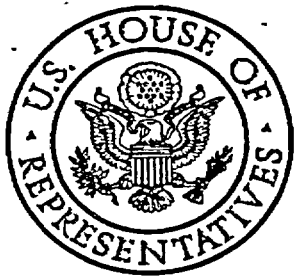
SPECIAL HANDLING:

NOTES:

FILE LOCATION: Adams

DATE DUE: 09/18/2002

DATE SIGNED:



CONGRESS OF THE UNITED STATES

August 23, 2002

James H. Maloney
5th District, Connecticut

Mr. Dennis Rathbun
Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20852

Dear Mr. Rathbun:

I am writing on behalf of my constituent, Mr. Burgess Walker, Manager of the Nuclear Scanning Associates of Western Connecticut, PC.

Please find enclosed a copy of the correspondence that I received from Mr. Burgess Walker regarding the change in this years licensing bill for their Nuclear Medicine program. Mr. Walker questions the increase in the charge given the limits of the Nuclear Medicine program.

I would appreciate your reviewing this information to determine whether you can be of assistance to my constituent in resolving this matter. Please notify me of the outcome through my District Office located at 20 East Main Street, Suite 240, Waterbury, CT 06702. If you need additional information, please contact my special assistant, Frieda Lucarelli, at 203-573-1418.

Thank you for your assistance with this matter.

Yours truly,

Banking and Financial
Services Committee

Armed Services
Committee

Best Regards *JH*

James H. Maloney
Member of Congress

Please Respond to:

☐ 1213 Longworth Building
Washington, DC 20515
Phone: (202) 225-3822
Fax: (202) 225-5746

JHM:fl
Enclosure
999005916

☐ 20 East Main Street
Suite 240
Waterbury, CT 06702
Phone: (203) 573-1418
Fax: (203) 573-9329

AUG-17-2002 02:32 AM

Nuclear Scanning Associates of Western Connecticut, PC
67 Sand Pit Road, Suite 102
Danbury, CT 06810
Telephone 203/797-1770 Fax 203/797-2529
NRS License #06-20691-01

August 16, 2002

Congressman James H. Malone
Connecticut Fifth District
20 East Main Street
Waterbury, CT

Dear Congressman Malone:

I am writing this letter to hopefully obtain relief from what we believe is an inordinately high license levy against Nuclear Scanning Associates. I have outlined the facts of this situation below:

- Earlier this year, we received our annual licensing bill from the Nuclear Regulatory Commission. As we have done in previous years, we filed as a "Small Business Entity", as this entity earned less than \$350,000 over the past year. Accordingly, we paid our \$500 fee.
- In late March, 2002, we decided to close our Nuclear Medicine program. In fact, our program serviced its last patient in September, 2000. Having made a call to the NRC regarding our intent to close the program, we sent a letter to the Commission dated April 5, 2002 requesting termination.
- Later, the NRC issued us a termination of service notice dated June 25, 2002.
- On July 1, 2002, the NRC billed us for \$4,121.85, reasoning that it had the right to include the other legal entities, such as Housatonic Valley Radiology-which does not provide any nuclear medicine services- for the purpose of reassigning our nuclear medicine program from a "small business" status to that of a "small organization".
- When we questioned this invoice, a letter dated July 3, 2002, providing an explanation was sent to us.
- Dr. Ehrlich, the sole owner of Nuclear Scanning Associates, next sent a written letter dated July 19, 2002 to Diane Dandois requesting further consideration for adjusting what we considered to be an abnormally high bill.

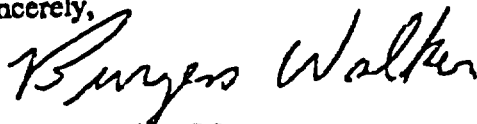
AUG-17-2002 02:32 AM

- On August 13, 2002 in a telephone conversation with Dr. Ehrlich, Diane Dandois offered that this licensing bill could be reduced by about 50% if it can be documented that we initiated our termination request prior to March 31, 2002.

In conclusion, we would obviously wish to be considered a small business entity as we have in the past, particularly given the fact that our nuclear medicine department earned nothing over the past year. - Specifically, we find it quite unfair that after paying for our license fee as an entity earning less than \$350,000 that the NRC can now consider the income of other organizations also owned by Dr. Ehrlich, but none of which are related to the NRC's purview. Finally, we find that the NRC is rather inflexible in not even offering us the ability to reduce our bill by 50% simply because there is no documentation of our intent to terminate our nuclear medicine department prior to March 31, 2002.

We do hope that you might intercede on our behalf that we can strike a fair compromise. Please call me if you have any further questions.

Sincerely,



Burgess Walker, Manager