



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

March 23, 2005

Docket No. 03030057
Control No. 136315

License No. 29-28049-01

Alan D Simon, M.D.
Administrative Representative
Bergen Diagnostic Management Nuclear, LLC
One West Ridgewood Avenue
Paramus, NJ 07652

**SUBJECT: BERGEN DIAGNOSTIC MANAGEMENT NUCLEAR, LLC, REQUEST FOR
ADDITIONAL INFORMATION CONCERNING APPLICATION FOR
AMENDMENT TO LICENSE, CONTROL NO. 136315**

Dear Dr. Simon:

This is in reference to your letter dated January 10, 2005 requesting to amend Nuclear Regulatory Commission License No. 29-28049-01. In order to continue our review, we need the following additional information:

1. You have requested that Michael Laimore be named Radiation Safety Officer (RSO) on your license. It appears that this individual may be an outside consultant/contractor. If this is so, in support of this request, please address the following:
 - a. Describe the control over the radiation safety program that will be delegated so that the consultant-RSO will be able to exercise authority over authorized users when confronted with radiation safety problems that require implementation of corrective actions.
 - b. Describe the relationship that will exist between the consultant-RSO and your institutional management regarding expenditure of funds to facilitate the objectives of your radiation safety program and related regulatory requirements.
 - c. Identify other commitments of the consultant-RSO for other NRC or Agreement State licensed facilities, along with a description of how the consultant-RSO will allocate time to permit the performance of the duties of the RSO as described in the regulations. State the consultant-RSO's minimum amount of on-site time (hours per week).
 - d. Appoint an in-house representative who will serve as the point of contact during the RSO's absence. This person may be allowed to assist the consultant RSO with limited authority.
 - e. Describe the overall availability of the consultant-RSO to respond to questions or operational issues that arise during the conduct of your radiation safety program

A. Simon
Bergen Diagnostic Management Nuclear, LLC

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and related regulatory requirements. Specify the maximum amount of time it will take the RSO to arrive at the facility in the event of an emergency that requires his presence.

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. 136315. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-6936.

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 David B. Everhart

David B. Everhart
Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety

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:

Robert Bakaljian, M.D., Radiation Safety Officer

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