

COPY

Michelle Beardsley

Paul J. Early, DABSNM, DABR
Vice President, Corporate Radiation Safety



Please respond to the address indicated with the "X"

() NY OFFICE:

P.O. Box 340
Bemus Point, NY 14712
PH: 716-386-3860
FX: 716-386-4376
Cell: 216-496-7824

(X) GA OFFICE:

106 Barkentine Ct.
St. Simon's Island, GA 31522
PH: 912-634-9951
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Cell: 216-496-7824

May 20, 2005

VIA FAX (610-337-5393)

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555

31-30666-01
03035802

Re: Reply to a Notice of Violation

To Whom It May Concern:

On February 14 and 15, 2005, Michelle Beardsley of the King of Prussia, PA office of the Nuclear Regulatory Commission noted a violation that Digirad Imaging Solutions, Inc. (DIS) had provided mobile nuclear medicine service at 1647 Benning Rd and 650 Pennsylvania Ave, both of Washington, D.C. without obtaining agreements (Memoranda Of Understanding or MOU) from either site's management permitting the use of byproduct materials at their address.

It is true that services were provided prior to obtaining an MOU, but it was also determined well in advance of this inspector's visit that this situation existed and the MOU's were signed and were on file at the time of the inspection. The MOU at Benning Rd. was signed on 8/9/04 and service began on 4/19/04. The MOU at Pennsylvania Ave was signed on 6/22/04 and the service began on 2/24/04.

On 3/23/05, a letter responding to the NOV was filed with the NRC Document Control Desk in Washington, D.C. and with the NRC, Region I in which a rescission of the violation was requested due to the above set of circumstances. Following an explanation of the NOV by Ms. Beardsley, I am now revoking my request for rescission of the NOV.

In order to prevent this recurrence in the future, it is now Corporate policy that whenever a contract is signed with a clinical facility, an MOU must also be signed at the same time and that this MOU be filed at the Base Location servicing this account prior to initiating mobile imaging services.

13950 Stowe Drive
Poway, CA 92064-8803

t 858.726.1600
f 858.726.1700
www.digirad.com

I trust this closes this inspection.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul J. Early". The signature is fluid and cursive, with the first name "Paul" and last name "Early" clearly distinguishable.

Paul J. Early, DABSNM, DABR, DABMP

cc: Administrator, Region I