



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
ENVIRONMENTAL ASSISTANCE CENTER
2700 MIDDLEBROOK PIKE, SUITE 220
KNOXVILLE, TENNESSEE 37921-5602
PHONE (865) 594-6035 STATEWIDE 1-888-891-8332 FAX (865) 594-6105

2006 MAR 23 PM 12:55
RECEIVED
REGION 1

February 22, 2006

NOTICE OF
NONCOMPLIANCE

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Thermo-Scan Energy Management
15658 N. Gray Road
P.O. Box 705
Carmel, Indiana 46082-0705

ATTENTION: William C. Achenbach, Radiation Safety Officer

Dear Mr. Achenbach:

This letter refers to the inspection conducted by me on February 7, 2006 of the activities conducted under reciprocal recognition of your Nuclear Regulatory Commission Radioactive Materials License Number 13-25387-01.

The inspection revealed the following items of noncompliance with the requirements of the license and the Tennessee "State Regulations for Protection Against Radiation" (SRPAR).

1. Condition 23 of your license requires, in part, that the licensee shall utilize dosimetry.

Contrary to the above, dosimetry was not being utilized by the licensee.

2. SRPAR 1200-2-4-.11 requires, in part, that the licensee shall post all applicable documents or post the location where the documents may be found.

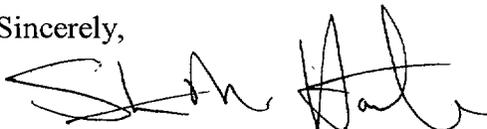
Contrary to the above, the licensee did not post the regulations nor the location where the regulations could be found. For posting alternatives, see SRPAR 1200-2-4-.11(2). A copy of the regulations may be obtained from our website at: <http://www.state.tn.us/sos/rules/1200/1200-02/1200-02.htm>.

You are to respond in writing, within 15 days of receipt of this letter. Describe the actions that will bring your activities into full compliance, and that will avoid further noncompliance. Your cooperation will be appreciated. Please send your response to:

Stacey M. Hamilton
Division of Radiological Health
Tennessee Department of Environment and Conservation
2700 Middlebrook Pike, Suite 220
Knoxville, TN 37921

In accordance with SRPAR 1200-2-5-.14(1)(a)6, this formal notice of the occurrence of violations must be posted within two (2) working days after receipt. It must remain posted until corrective actions are completed or for a minimum of five (5) working days if corrective actions are completed sooner. This notice is to be posted in a sufficient number of conspicuous places such that people working under this license may observe it.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stacey M. Hamilton', written over a horizontal line.

Stacey M. Hamilton,
Health Physicist
Division of Radiological Health

cc: Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406-1415
Attention: Duncan White