



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

January 1, 2007

Docket No. 03034940

License No. 29-30500-01MD

Rodney Prosser  
License Administrator  
Nuclear Diagnostic Products, Inc.  
101 Round Hill Drive  
Rockaway, NJ 07866

SUBJECT: INSPECTION 03034940/2006001, NUCLEAR DIAGNOSTIC PRODUCTS, INC.,  
ROCKAWAY, NEW JERSEY SITE AND CHERRY HILL, NEW JERSEY SITE

Dear Mr. Prosser:

On August 1, 2006, Farrah Gaskins and Thomas Thompson of this office conducted a safety inspection at 2 Keystone Avenue, Cherry Hill, New Jersey of activities authorized by the above listed NRC license. On December 6, 2006, Betsy Ullrich of this office conducted a safety inspection at the above address of activities authorized by the NRC license. Included in Ms. Ullrich's inspection was a review of the issue reported to us by Mr. Ken Ali of your staff on November 3, 2006, regarding the transfer of radiopharmaceuticals to a customer authorized to use only sealed sources for medical use. The inspection was an examination of your licensed activities as they relate to radiation safety and to compliance with the Commission's regulations and the license conditions. The inspection consisted of observations by the inspectors, interviews with personnel, and a selected examination of representative records. The findings of the inspection were discussed with Mr. Ali at the conclusion of the inspection.

Within the scope of this inspection, no violations were identified. As discussed with your staff during the inspection, pursuant to 10 CFR 30.41, prior to transfer of radioactive materials, you are required to verify that the transferee's license authorizes the type, form, and quantity of byproduct material to be transferred. In this case the customer's license authorized 10 CFR 35.500 materials (sealed sources for medical diagnosis); however, as a medical licensee, they were also authorized to receive materials listed in 10 CFR 35.65 which includes technetium-99<sup>m</sup> (Tc99<sup>m</sup>) for calibration in "amounts as needed" and does not specify the form. There is not a requirement to verify the purpose for which material is purchased. Your staff did verify the type, quantity, and form and determined the material was authorized under the license. We understand that your staff eventually determined that the customer might be using the materials for purposes not authorized by the customer's license, although this information was not required to be verified by the 10 CFR 30.41. We note that your staff took immediate action to investigate the issue as soon as it was identified, and notified the NRC promptly. Your staff also informed us of the corrective actions they developed and are implementing to prevent such an issue in the future. Thank you for your cooperation in this matter.

Current NRC regulations are included on the NRC's website at [www.nrc.gov](http://www.nrc.gov); select **Nuclear Materials; Medical, Academic, and Industrial Uses of Nuclear Material**; then **Toolkit Index Page**. The current NRC Enforcement Policy is included on the NRC's website at [www.nrc.gov](http://www.nrc.gov); select **What We Do, Enforcement**, then **Enforcement Policy**. Or you may obtain these

R. Prosser  
Nuclear Diagnostic Products, Inc.

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documents by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 8:00 p.m. EST, Monday through Friday (except Federal holidays).

No reply to this letter is required. Your cooperation with us is appreciated.

Sincerely,

***Original signed by James P. Dwyer***

James P. Dwyer, Chief  
Commercial and R&D Branch  
Division of Nuclear Materials Safety

cc:  
Ken Ali, Radiation Safety Officer  
State of New Jersey

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**SUNSI Review Complete: FGaskins**

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DATE	12/18/2006		12/18/2006		12/18/2006		1/1/2007	

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