



# ALLIANCE IMAGING

March 24, 2009

Robert Gattone  
U.S. NRC Region III  
2443 Warrenville, Road  
Lisle, IL 60532

Mr. Gattone,

Enclosed are the documents responding to your questions dated 3/9/2009. These documents were sent by email on 3/23/2009.

If you have any questions please contact me.

Sincerely,

Michael Culley MS CNMT  
Corporate Radiation Safety Officer  
Alliance Imaging  
978-852-3527

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Newport Beach CA 92660  
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[www.allianceimaging.com](http://www.allianceimaging.com)

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# ALLIANCE IMAGING

March 23, 2009

Responses  
Letter dated 3/9/09

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**Q:** Did Alliance Imaging lawyers contribute to the subject letter?

**A:** Yes, the Alliance legal team edited and reviewed responses.

**Q:** Please submit, in writing, the basis for Alliance Imaging's position that the information contained in the subject letter does not constitute a change of control in the context of 10 CFR 30.34(b). You may reference the subject letter, as applicable.

**A:** Alliance Imaging (Alliance) believes that its acquisition of the membership interests of Medical Outsourcing Services, LLC (MOS) was not a change of control of MOS's NRC license under 10 CFR 30.34(b). That regulation provides as follows:

No license issued or granted pursuant to the regulations in this part and parts 31 through 36, and 39 nor any right under a license shall be transferred, assigned or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of any license to any person, unless the Commission shall, after securing full information, find that the transfer is in accordance with the provisions of the Act and shall give its consent in writing.

It is our understanding that in interpreting this regulation the NRC is primarily concerned with ensuring the following:

- Radioactive materials are possessed, used, or controlled only by persons who have valid NRC licenses
- Materials are properly handled and secured
- Persons using these materials are competent and committed to implementing appropriate radiological controls
- A clear chain of custody is established to identify who is responsible for disposition of records and licensed material
- The transferee has the financial resources to decommission the license, if necessary
- Public health and safety are not compromised by the use of such materials.

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On review of these concerns Alliance believes that following the acquisition of the membership units of MOS that each of these concerns was satisfied. In other words, following the acquisition of the membership units:

- MOS's radioactive materials continued to be possessed, used, and controlled under its existing valid NRC license.
- MOS's daily use of radioactive materials continued under the same policies and procedures and supervision and control of the same RSO.
- The persons using the radioactive materials on a daily basis did not change.
- MOS continued to provide the same mobile PET/CT services at the same sites with the same facilities and equipment.
- The chain of custody establishing who is responsible for disposition of records and licensed material remained the same.
- MOS continued to operate as a business entity under the same name, at the same business address and under the same tax identification number.
- MOS continued to have the financial resources to decommission the license, if necessary, and in fact had even greater financial resources as a wholly owned subsidiary of Alliance.

Indeed the only real changes following the transaction include the identity of the member of MOS (Alliance), the resignation of some senior level management personnel and the inclusion of MOS's radiation safety program into the company wide radiation safety program maintained by Alliance. Under that program, the existing MOS radiation safety officer now reports up to an Alliance corporate-wide radiation safety officer. Given the nature of these few minor changes that do not affect the possession, use or control of radioactive materials the public health and safety were affected, much less compromised.

**Q:** Please provide the organizational chart for MOS effective just prior to 7/29/08, including any relationship to Alliance Imaging, if applicable.

**A:** The organizational chart demonstrating the relevant reporting relationships for Operations is attached. We would also point out that prior to 7/29/08: Mr. Greg Pape was the CEO for MOS and his Vice President of Operations was Mr. Michael Roux. Ms. Amy Hunt-Reimann was the RSO.

**Q:** Please provide the organizational chart for MOS effective just after 7/29/08, including the relationship to Alliance Imaging.

**A:** The organizational chart demonstrating the relevant reporting relationships for Operations is attached. We would also point out that following the closing on 7/29/08: Mr. Greg Pape was moved to a business consultant role for MOS, Mr. Roux remained as the Manager of Operations and Ms. Amy Hunt-Reimann remained the RSO.

**Q:** If the organizational chart for MOS just after 7/29/08 does not represent the current organization, please provide the current organizational chart for MOS.

**A:** The current organizational chart demonstrating the relevant reporting relationships for Operations for MOS is attached. We would also point out since the time immediately following closing on 7/29/08: Mr. Greg Pape continues in his role as a business consultant, Mr. Roux continues in his role as the Manager of Operations and Ms. Amy Hunt-Reimann remains the RSO.

**Q: Are you authorized to represent Alliance Imaging regarding NRC matters?**

**A: I am the Director of Operations and corporate RSO for Alliance. As the corporate RSO I am authorized to represent Alliance regarding:**

- Alliance's possession, use or control of radioactive materials,
- Matters relating to Alliance's compliance with the terms and conditions of its NRC licenses,
- Amendment requests to Alliance's NRC licenses,
- Alliance's corporate wide radiation safety program, review of audits of compliance with that radiation safety program, and training programs to ensure that personnel are competent.

NRC matters that rise to a legal nature are handled by Alliance's General Counsel office.

**Q: Are you authorized to represent MOS regarding NRC matters?**

**A: As indicated above, I am the corporate RSO for Alliance. Ms. Amy Hunt-Riemann is the RSO for MOS. As the RSO for MOS, Ms. Hunt-Riemann is responsible for:**

- MOS's daily operational possession, use or control of radioactive materials,
- Matters relating to MOS's daily operational compliance with the terms and conditions of its NRC license,
- MOS's compliance with its radiation safety program, including a review of audits of compliance with that radiation safety program, and training MOS personnel to ensure they are competent.

As an RSO for one of Alliance's wholly owned subsidiaries Ms. Hunt-Riemann reports to me. Ms. Hunt-Riemann has the authority to represent MOS to the NRC regarding NRC matters that pertain to daily operational matters of and concerning MOS's NRC license, but as the corporate RSO I share that authority and exceed it when NRC matters rise above daily operational matters and impact Alliance on a corporate level.

NRC matters that rise to a legal nature are handled by Alliance's General Counsel office.

If you have any questions please contact me at 879-852-3527 or by email:  
mculley@allianceimaging.com

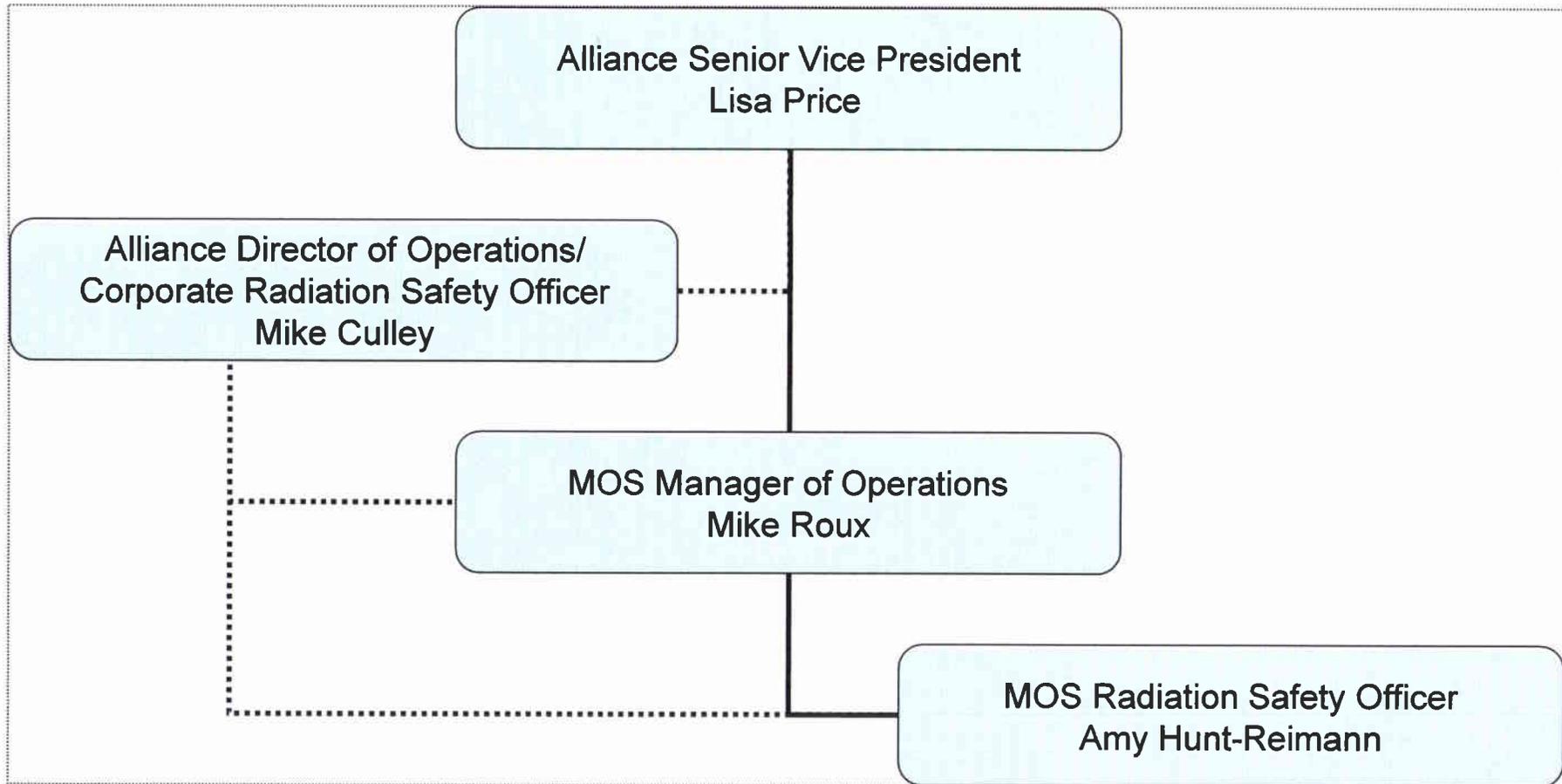
Sincerely,



**Michael Culley MS CNMT  
Corporate Radiation Safety Officer**

MC/rlv

MEDICAL OUTSOURCING SERVICES, LLC  
Post-Acquisition by Alliance Imaging, Inc.  
(July 29, 2008)



Medical Outsourcing Services, LLC Post July 29, 2008  
Post Acquisition by Alliance Imaging, Inc.

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Alliance Imaging, Inc.

Medical Outsourcing Services, LLC

MEDICAL OUTSOURCING SERVICES, LLC  
Pre -Acquisition by Alliance Imaging, Inc.  
(July 28, 2008)

President & CEO  
Gregory Pape

VP Operations, HIPPA &  
JCAHO Compliance  
Mike Roux

Radiation Safety Officer  
Amy Hunt-Reimann

**Medical Outsourcing Services, LLC**  
**Pre July 29, 2008 Acquisition by Alliance Imaging, Inc.**

