



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**

REGION III  
2443 WARRENVILLE ROAD, SUITE 210  
LISLE, ILLINOIS 60532-4352

**APR 01 2009**

William K. Breeden, III, M.S.  
Radiation Safety Officer  
Open MRI, LLC  
d/b/a Advanced Diagnostic Imaging  
1120 Professional Blvd.  
Evansville, IN 47714

Dear Mr. Breeden:

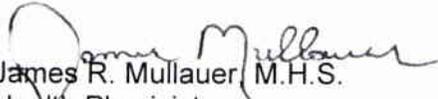
This concerns letter dated March 2, 2009, informing the commission of your use of NARM material. This also refers to my telephone conversation with you on March 27, 2009. During our phone discussion, you stated that your use of NARM material did not change your facilities as represented in your NRC license and did not change your radiation safety program in any way.

Since NARM material is now defined as byproduct material in 10 CFR 30.4, you are currently in compliance with NRC requirements and an amendment is not necessary, therefore, your request is voided. We do remind you that your use of NARM material is now subject to all NRC requirements in 10 CFR and your NRC license.

If you have any questions concerning this letter, please contact me at 623214-5213.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). The NRC's document system is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

  
James R. Mullauer, M.H.S.  
Health Physicist  
Materials Licensing Branch

License No. 13-32112-01  
Docket No. 030-34799