

Torres, RobertoJ

From: Traci Hollingshead [Traci.Hollingshead@DIGIRAD.com]
Sent: Thursday, July 16, 2009 12:21 PM
To: Torres, RobertoJ
Cc: Daniel Leddy
Subject: RE: State of New Jersey to become an Agreement State
Attachments: Response to NRC.pdf

RECEIVED

Mr. Torres-

Attached is Digirad's response.

Thank you,
Traci

JUL 17 2009

DNMS

From: Torres, RobertoJ [mailto:RobertoJ.Torres@nrc.gov]
Sent: Wednesday, July 08, 2009 2:35 PM
To: Traci Hollingshead
Subject: State of New Jersey to become an Agreement State

Ms. Hollingshead:

On or about September 30, 2009, the State of New Jersey will become an Agreement State. You are receiving this email because your NRC license (Digirad Imaging Solutions, License No. 40-29283-01) has two locations of use in New Jersey (50 Williams Parkway, East Hanover, New Jersey, and 2302 Park East Avenue, Hainesport Industrial Park, Hainesport, New Jersey).

I have reviewed your license and based on the scope of your operations you have the following options to choose from.

1. Digirad has the option to keep using licensed material at East Hanover, New Jersey, and Hainesport, New Jersey, after September 30, 2009 if Digirad informs the NRC by July 31, 2009 that Digirad wants to obtain a radioactive materials license from the State of New Jersey authorizing East Hanover and Hainesport, NJ, as locations of use. On the date of the Agreement, your NRC license will be amended to remove the New Jersey locations of use. Simultaneously and in a separate licensing action, NRC will issue a new license authorizing Digirad for the same types of activities only at East Hanover and Hainesport, New Jersey locations of use. This newly issued license will then be transferred to the State of New Jersey and will allow you to continue to use licensed material in New Jersey under the new agreement. The State of New Jersey will assess an annual fee for this license.

If Digirad decides to pursue this option #1, Digirad will continue to have an active NRC license with locations of use in non-Agreement States, and Digirad will also have a State of New Jersey license with two locations of use at 50 Williams Parkway, East Hanover, New Jersey, and 2302 Park East Avenue, Hainesport Industrial Park, Hainesport, New Jersey.

2. Digirad has the option to remove the 50 Williams Parkway, East Hanover, New Jersey, and 2302 Park East Avenue, Hainesport Industrial Park, Hainesport, New Jersey, locations of use from the NRC license before the Agreement takes place. To do this, Digirad needs to send a license amendment request to the NRC for the release for unrestricted use of these two locations of use before July 31, 2009. Submit with the amendment request a copy of the final status survey for this location and if sealed sources were used at this location, submit copies of the most recent leak test results for all the sealed sources stored at this location. Also include letter from the recipient of licensed material confirming receipt of the material that was transferred or disposed of.

If Digirad decides to pursue this option #2, Digirad will continue to have an active NRC license with locations in non-Agreement States. No State of New Jersey license will be issued. Under this option #2, the only way Digirad will be able to work in New Jersey after September 30, 2009 is if Digirad applies for reciprocity with the State of New Jersey to allow Digirad to work at temporary job sites (not permanent locations) for only 180 days in any calendar year. To apply for reciprocity please contact:

Paul Baldauf, Assistant Director
Radiation Protection Programs
Division of Environmental Safety, health & Analytical Programs
Department of Environmental Protection
P.O. Box 415
Trenton, New Jersey 08625-0415
Telephone: (609) 984-5636
Fax: (609) 633-2210
E-mail: paul.baldauf@dep.state.nj.us

Please indicate by reply email (signed/dated letter in company letterhead as a pdf file) what option Digirad will pursue (option #1 or option #2).

Please confirm receipt of this email.

Thank you.

Roberto J. Torres
Senior Health Physicist
U.S. Nuclear Regulatory Commission - Region IV
Division of Nuclear Materials Safety
Nuclear Materials Safety Branch B
612 East Lamar Boulevard, Suite 400
Arlington, Texas 76011-4125
Telephone 817-860-8189
Facsimile 817-860-8263
roberto.j.torres@nrc.gov

RECEIVED

JUL 17 2009

DNMS



RECEIVED

JUL 17 2009

DNMS

July 16, 2009

Roberto J. Torres
Senior Health Physicist
U.S. Nuclear Regulatory Commission - Region IV
Division of Nuclear Materials Safety
Nuclear Materials Safety Branch B
612 East Lamar Boulevard, Suite 400
Arlington, Texas 76011-4125

Dear Mr. Torres:

Please accept this letter as formal notification that Digirad wishes to pursue option #1. Digirad plans to continue to use licensed material at East Hanover, New Jersey, and Hainesport, New Jersey, after September 30, 2009 therefore will need to obtain a radioactive materials license from the State of New Jersey authorizing East Hanover and Hainesport, NJ, as locations of use.

If you have any questions or need additional information please feel free to contact me at (605) 231-0237.

Sincerely,

A handwritten signature in cursive script that reads "Traci Hollingshead".

Traci Hollingshead
VP, Corporate Radiation Safety Officer
Digirad Corporation

