

July 18, 2013

Mr. Zakwan Aboudane, President
Mid-Michigan Diagnostic
8273 S. Saginaw
Grand Blanc, Michigan 48439

SUBJECT: NRC ROUTINE INSPECTION REPORT NO. 03037056/2013001(DNMS) AND
NOTICE OF VIOLATION – MID-MICHIGAN DIAGNOSTIC

Dear Mr. Aboudane:

On May 15, 2013, and June 18, 2013, a U.S. Nuclear Regulatory Commission (NRC) inspector conducted a routine inspection at your Grand Blanc and Saginaw clinics, with continued in-office review through June 28, 2013. The purpose of the inspection was to review activities performed under your NRC license to ensure that activities were being performed in accordance with NRC requirements. The in-office review included a review of your amendment requests filed with our Materials Licensing Branch for authorization to use licensed materials at your Grand Blanc and Saginaw clinics. A final exit meeting was held between Ms. Deborah A. Piskura of my staff and Ms. Suzanne Itani of your staff by telephone on June 28, 2013.

During this inspection, the NRC staff examined activities conducted under your license related to public health and safety. Additionally, the staff examined your compliance with the Commission's rules and regulations as well as the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews with personnel.

Based on the results of this inspection, the NRC has determined that one Severity Level IV violation of NRC requirements occurred. The violation was evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violation concerned the failure to confine your possession of licensed material to the location specified in Condition 10 of your NRC license, as required by Title 10 of the Code of Federal Regulations (CFR) Part 30.34. The violation, which was identified by the inspector, is cited in the enclosed Notice of Violation (Notice).

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The guidance in NRC Information Notice 96-28, "Suggested Guidance Relating to Development and Implementation of Corrective Action," may be useful in preparing your response. You can find the Information Notice on the NRC's website at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/info-notices/1996/in96028.html>. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

Z. Aboudane

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In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, will be made available electronically for public inspection in the NRC's Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC's website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made publicly available without redaction.

Please feel free to contact Deborah A. Piskura of my staff if you have any questions regarding this inspection. Ms. Piskura can be reached at (630) 829-9867.

Sincerely,

/RA/

Aaron T. McCraw, Chief
Materials Inspection Branch
Division of Nuclear Materials Safety

Docket No. 030-37056
License No. 21-32601-01

Enclosure:
Notice of Violation

cc w/encl: Anthony Bennett, M.D., Radiation Safety Officer
State of Michigan

Z. Aboudane

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Management System (ADAMS), accessible from the NRC's website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made publicly available without redaction.

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Aaron T. McCraw, Chief
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Docket No. 030-37056
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Notice of Violation

cc w/encl: Anthony Bennett, M.D., Radiation Safety Officer
State of Michigan

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NOTICE OF VIOLATION

Mid-Michigan Diagnostic
Grand Blanc, Michigan

Docket No. 030-37056
License No. 21-32601-01

During a U.S. Nuclear Regulatory Commission (NRC) inspection conducted on May 15, 2013, and June 18, 2013, with continued in-office review through June 28, 2013, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Title 10 of the Code of Federal Regulations (CFR) Part 30.34 (c) requires, in part, that each licensee confine his possession and use of byproduct material to the locations and purposes authorized by the license.

Condition 10. of License Number 21-32601-01 states, in part, that licensed material may be used or stored at the licensee's facilities located at specified locations within the State of Michigan.

Contrary to the above, from approximately September 2011 through May 2013, the licensee did not confine its possession and use of byproduct material to the locations authorized by the license. Specifically, the licensee received and used byproduct material at the licensee's office located at 8273 S. Saginaw, Grand Blanc, Michigan, a location not authorized by the license. Additionally, from October 11, 2010, through May 2013, the licensee also used byproduct material at its office located at 5451 Hampton Place, Saginaw, Michigan, a location only authorized for receipt and storage of licensed material.

This is a Severity Level IV violation (Section 6.3).

Pursuant to the provisions of CFR 2.201, Mid-Michigan Diagnostic is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, with a copy to the Regional Administrator, Region III, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include: (1) the reason for the violation, or, if contested, the basis for disputing the violation or severity level, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that were or will be taken, and (4) the date when full compliance was or will be achieved. Your response may reference or include previously docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Enclosure

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days of receipt.

Dated this 18th day of July 2013.