

Georgia Department of Natural Resources

Environmental Protection Division, Air Protection Branch
4244 International Parkway, Suite 120, Atlanta, Georgia 30354
404-363-7000

July 8, 2016

Mr. Robert J. Tokarz, M.S.
Radiation Safety Officer
Shared Imaging, LLC
801 Phoenix Lake Avenue
Streamwood, Illinois 60107

Dear Mr. Tokarz:

On June 8, 2016, Greg Reese and Shatavia Walker of the Department conducted a routine inspection of activities authorized by Georgia Radioactive Material License GA 431-3, which belongs to West Georgia Medical Center, Inc. in LaGrange Georgia.

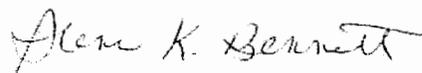
The inspection was an examination of the activities conducted under the license as they relate to radiation safety and to compliance with the Georgia Department of Natural Resources "Rules and Regulations for Radioactive Materials," Chapter 391-3-17, and the conditions of the license. The inspection consisted of selective examinations of procedures and representative records, independent measurements and observations by the Department.

Based on the results of this inspection, we have determined that Shared Imaging, LLC – NRC License #12-32798-01 - has been providing mobile nuclear medical services for PET to this Georgia licensee since February 2014 without obtaining reciprocal licensing approval from the Department as described in the attached Notice of Violation.

The purpose of this letter is to afford you an opportunity to furnish a statement or explanation in writing regarding: (1) corrective steps which have been taken by you and the results achieved; (2) corrective steps which will be taken to avoid further items of noncompliance; and (3) the date full compliance will be achieved. Your reply should be sent to the Radioactive Materials Program within fifteen (15) days from receipt of this letter to assure your commitment to compliance.

If you have any questions, please do not hesitate to contact this office at (404)362-2675.

Sincerely,



Irene K. Bennett, Acting Manager
Radioactive Materials Program

Enclosure

cc: Mr. Aaron McCraw, Chief Materials Inspection Branch
U.S. Nuclear Regulatory Commission, Region III

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NOTICE OF VIOLATION

Shared Imaging, LLC
801 Phoenix Lake Avenue
Streamwood, Illinois 601070

NRC License Number 12-32798-01

Based on the results of a Georgia Department of Natural Resources inspection conducted on June 8, 2016, at West Georgia Medical Center, Inc. in LaGrange, Georgia, it appears the following activity was not conducted in full compliance with the Georgia Rules and Regulations for Radioactive Materials, Chapter 391-3-17 as indicated below:

- A. "Georgia Rule 391-3-17-.02(20)(a) – Reciprocity" states:
- 'Persons licensed by other Agencies. Subject to the provisions of this Chapter, any person who holds a specific license from the U.S. Nuclear Regulatory Commission, a Licensing State, or any Agreement State, other than this State, and issued by the agency having jurisdiction where the licensee maintains an office for directing the licensed activity and at which radiation safety records are normally maintained, is hereby granted a general license to conduct the activities authorized in such licensing document within this State, except in areas of exclusive federal jurisdiction, for a period not in excess of 180 days in any calendar year provided that:
1. The licensing document does not limit the activity authorized by such document to specified installations or locations;
 2. The out-of-state licensee notifies the Department in writing at least three days prior to engaging in such activity. Such notification shall indicate the location, period, and type of proposed possession and use within the State, and shall be accompanied by a copy of the pertinent licensing document. If, for a specific case, the 3-day period would impose an undue hardship on the out-of-state licensee, he may, upon application to the Department, obtain permission to proceed sooner;
 3. The out-of-state licensee complies with all applicable Rules of the Department, and with all the terms and conditions of his licensing document except any such terms and conditions that may be inconsistent with applicable Rules of the Department;
 4. Provided further that the Department may require the out-of-state licensee to supply such other information as the Department may reasonably request; and
 5. The out-of-state licensee shall not transfer or dispose of radioactive material possessed or used under the general license provided in (20)(a) except by transfer to a person who is:
 - (i) Specifically licensed by the Department, the U.S. Nuclear Regulatory Commission, or by another Licensing State to receive such material; or
 - (ii) Exempt from the requirements for a license for such material under (3)(a)."

Contrary to this rule, the licensee has provided services to at least one Georgia facility since February 2014 without: 1) notifying the Department of its activities, 2) obtaining Department authorization as per Condition 10 of its NRC license and 3) providing other required information in accordance with Rule 391-3-17-.02(20), subparagraphs (a)2., (a)3., and (a)4., respectively.

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- B. "Georgia Rule 391-3-17-.10(2)(d) – Payment of Fees" states:
"All licensees shall remit annual fees, in accordance with Table 1, the Radioactive Materials License Fee Schedule. Licensees shall be invoiced for annual fees. Such fees shall be due and payable thirty (30) days after the invoice date. Fees for applications for licenses shall accompany the request. Licensees with fees which are delinquent shall not have any request for amendment or renewal of their licenses, except in the interest of public health and safety, honored by the Department until such fees are paid in full or a payment plan has been accepted by the Department."
Contrary to the rule, the licensee has failed to submit reciprocity fees for activities associated with Category A.9.a. under "Annual Fee, Nominal" in Table 1 for the calendar years 2014, 2015 and 2016.