

MEMORANDUM FOR: James M. Taylor
Executive Director for Operations

FROM: Ronald M. Scroggins
Deputy Chief Financial
Officer/Controller

SUBJECT: REQUEST FOR APPROVAL FOR EXTENSION
OF TIME FOR LICENSE NO. 16-17453-01

Attached for your review are various correspondence and telecon records from Nuclear Imaging of Kentuckiana, Inc. and a Statement of Facts regarding License No. 16-17453-01. The licensee was billed annual fees under Invoice No. AM04293-91, AM03673-92 and AM03982-93.

As part of the debt collection review process, it has been determined that this case should not be referred to our debt collection contractor, but rather it should be considered for an extension of time to terminate.

Based on the information furnished, the Office of the Controller recommends that you approve the request for an extension of time to terminate for purposes of avoiding the FY 1991 annual fee to May 21, 1993. Licensed activities ceased prior to August 9, 1991, and the license was subsequently terminated on June 7, 1993.

Upon your approval below, the balance owed NRC on Invoice No. AM04293-91 will be waived. Invoices AM03673-92 and AM03982-93 will be cancelled.

Signed by:

Ronald M. Scroggins
Deputy Chief Financial
Officer/Controller

Attachments:

- 1. Statement of Facts
re: License No. 16-17453-01
- 2. Letters dated May 21, 1993 and
various telecon records

APPROVED:

9403160192 940308
PDR ADOCK 03012778
C PDR

James M. Taylor
Executive Director
for Operations

2/22/94
Date

DISTRIBUTION: See page 2.

LFDCB DBDangois 2/10/94	LFDCB GJackson 2/10/94	LFDCB DWeiss 2/10/94	LFDCB LTremper 2/10/94	DAF EBlack 2/10/94	DAF LHiller 1/94
OC CJHolloway 2/10/94	OC JFurches 2/10/94	OC RMSchroggins 2/14/94	OGC FRothschild 2/18/94	EDD JTaylor 2/22/94	

DBD\ : OC94010

NRC FILE CENTER COPY

100050

MLB1/1

MAR 08 1994

- 2 -

DISTRIBUTION:

10 CFR 171 Exemption File (w/orig. inc.)
License File 16-17453-01 w/cy of back-up
Materials Annual Fee Correspondence File
Invoice File AM04293-91, AM03673-92 & AM03982-93 w/cy of back-up
NUDOCS (ML61) w/copy inc.
PDR
GJackson, LFDCB
DDandois, LFDCB
EBlack, OC/DAF
DWeiss, LFDCB
JHolloway, OC (w/copy inc.)
GFehst, OGC
EDO
LFDCB R/F (2)
DAF R/F
LTremper, LFDCB (2)
LNaval, LFDCB
OC-94-010

STATEMENT OF FACTS
License No. 16-17453-01

License 16-17453-01, issued to Nuclear Imaging of Kentuckiana, Inc. (NIKI), was amended April 14, 1989, with an expiration date of June 30, 1994.

In mid July 1991, NRC issued the FY 1991 annual fee invoice AM04293-91 for \$3,500.00. NIKI filed a small entity certification, reducing the fee to \$1,800.

Payment of \$1,800 for Invoice AM04293-91 was submitted by letter dated November 4, 1991. The November 4, 1991, letter informed NRC that payment had been stopped on the original check, which had been mailed on August 29, 1991, since it had apparently been lost in the mail.

There was a balance owed of \$105.65 on AM04293-91 since the invoice was paid late. NRC wrote to NIKI August 17, 1992, and offered to waive accrued interest and other charges of \$101.48 if the \$105.65 principal was paid by September 24, 1992. NIKI did not respond to the letter.

In a second letter dated November 4, 1991, the licensee requested several amendments to the license, including a name change from Nuclear Imaging of Kentuckiana, Inc. to Non-Invasive Imaging.

A December 18, 1991, telcon with the State of Kentucky indicated the Agreement State license was inactive and had been since August 1991. Mr. Yedinak was away at the Gulf War (Desert Storm). NRC licensing staff spoke with Non-Invasive Imaging on December 18, 1991, to inform them that their Kentucky license was storage only and would have to be amended to reactivate their program before they could resume use of the mobile labs in Indiana.

NRC issued a deficiency letter to Mr. Yedinak on December 20, 1991. On February 14, 1992, having not heard from Mr. Yedinak, NRC considered the November 4, 1991, amendment request to be abandoned.

In mid July 1992, NRC issued the FY 1992 annual fee invoice AM03673-92 for \$4,750.00.

In mid July 1993, NRC issued the FY 1993 annual fee invoice AM03982-93 for \$5,220.00.

The staff of LFDCB located Mr. Yedinak in March of 1993 and gave the Region his number. The Region spoke with him and he filed a NRC 314 on March 22, 1993, and a second copy on May 21, 1993.

The NRC 314 states "Nuclear Imaging was a mobile nuclear medicine service. Patients received unit doses from Syncor. Doses and waste were picked up and returned to Syncor daily. NIKI stopped operations in January 1991. No radioactive material was ever used at the above address." (Rineyville, KY)

On June 7, 1993, NRC terminated License No. 16-17453-01.

CONVERSATION RECORD

115 12/18/91

<input type="checkbox"/> VISIT <input checked="" type="checkbox"/> CONFERENCE <input checked="" type="checkbox"/> TELEPHONE <input type="checkbox"/> INCOMING <input checked="" type="checkbox"/> OUTGOING		ROUTING NAME/SYMBOL INT _____ _____ _____ _____ _____	
Location of Visit/Conference: _____		ORGANIZATION (Office, dept., bureau, etc.) Non-Reserve	TELEPHONE NO. 502- 283-4266
NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU Richard Bennett		SUBJECT CN 92557 Imaging	
Telecon of G.M. McCann			

SUMMARY

We spoke w/ Mr. Bennett (Tech) about the license amendments requests for Non-Reserve Imaging. He explained our concerns about the apparent change of ownership of their facilities and their use of material.

Mr. Bennett verified that the ownership for Duquesne Imaging of Kentuckiana did change. Dr. Yedinst, the previous owner is still a user for them. We informed Mr. Bennett that we have been in contact w/ KY and learned that the license for the hot lab is for storage only - this license must be amended to reactivate your program before you can receive mobile service in Indiana. He noted this.

We informed Mr. Bennett that a letter will be sent to them which will instruct them on what actions to take regarding the change of ownership and their amendment request.

ACTION REQUIRED

NAME OF PERSON DOCUMENTING CONVERSATION _____	SIGNATURE D. Astua	DATE 12/18/91
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ACTION TAKEN

SIGNATURE _____	TITLE _____	DATE _____
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CONVERSATION RECORD

TIME

10:15

DATE

12/18/91

TYPE

 VISIT CONFERENCE TELEPHONE INCOMING OUTGOING

ROUTING

NAME/SYMBOL

INT

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

Brenda Ulmes

ORGANIZATION (Office, dept., bureau, etc.)

KY Rad Control

TELEPHONE NO.

502-564-3700

SUBJECT

CN 92557 Branch

SUMMARY

Nuclear Imaging of Kentucky / Non-invasive Imaging
Lic No. 16-17453-01

El spoke w/ Mrs. Ulmes about the above license and our concerns about a possible change of ownership and unauthorized use of material (to an authorized physician now).

Mrs. Ulmes stated that their KY license (for the hot lab) is a storage only license - Dr. Yudinak was in full use. They have been inactive for since August 1991. They are authorized for Groups I, II and III (generators, kits, uptake, detection, & excretion studies). No authorization for xenon or amirats! The KY license is issued to the old name & address. KY has not received any info from the license that would alert them to an unauthorized change of ownership.

ACTION REQUIRED

NAME OF PERSON DOCUMENTING CONVERSATION

SIGNATURE

DATE

ACTION TAKEN

SIGNATURE

TITLE

DATE

CONVERSATION RECORD

TIME
3:52

DATE
December 1, 1993

TYPE

VISIT

CONFERENCE

TELEPHONE

INCOMING

OUTGOING

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

Dr. Mike Vedink

ORGANIZATION (Office, dept., bureau, etc.)

non-Invasive Imaging

TELEPHONE NO.

(804)
398-5170
5167

SUBJECT

Delinquent Annual Fees

ROUTING

NAME/SYMBOL	INT

SUMMARY

12/1 - AT talked to Mike and he said that he wrote ARRC a letter requesting termination in Jan of 1990, he will try to locate that letter and send it to me. He said that he talked to Diane and he told her that he went to Desert Storm and he couldn't run his business, and she told him not to worry about the invoices since he was military. (I told him to apply for unemployment.)

ACTION REQUIRED

NAME OF PERSON DOCUMENTING CONVERSATION

Kim Simpson

SIGNATURE

Kim Simpson

DATE

12/1/93

ACTION TAKEN

SIGNATURE

TITLE

DATE

50271-101

U.S. G.P.O. 1983-581-526/8546

CONVERSATION RECORD

OPTIONAL FORM 271 (2-76)
DEPARTMENT OF DEFENSE

CONVERSATION RECORD

TIME 2:35

DATE March 5, 1992

TYPE

VISIT

CONFERENCE

TELEPHONE

INCOMING

OUTGOING

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

Richard Bennett

ORGANIZATION (Office, dept., bureau, etc.)

non-Invasive Imaging

TELEPHONE NO.

(503) 608.3-4266

ROUTING	
NAME/SYMBOL	INT

SUBJECT

Material Annual License Fee

SUMMARY

AMO 3673-92 \$ 5172.08

AMO 4293-91 295.86 - pd 1800 late

Total \$ 5467.94

~~(402) 398-5170~~ Dr. Mike Yedinak
 (Holder of the License) ↑ 1505 Bayville St.
 Norfolk, VA 23503
 (804) 398-5170 NO answer

11/4/93
 Note to Contractors: According to D. Resman, RLL, the responsible person for this license is still Dr. Yedinak. Please note his phone no & address on the 314 with the termination. Please contact him because he will most likely qualify for small entity & really need.

ACTION REQUIRED
 To be informed re small entity of major 92 &c.

NAME OF PERSON DOCUMENTING CONVERSATION: Kim Simpson
 SIGNATURE: Kim Simpson
 DATE: [Signature]

ACTION TAKEN

SIGNATURE: TITLE: DATE:

APPROVED BY OMD: NUC 3160 0028
EXPIRES: 05/31/94

ESTIMATE PLERIN FOR ASSISTANT TO LIAISON WITH THE REGIONAL
COMMISSIONER REQUEST BY: MURPHY. THROUGH COMMENT RELATION
IN-DEPTH WITH THE OPERATIONS AND RECORDS MANAGEMENT BRANCH
AND A LITTLE US AIRPORT FEDERALITY (OPERATION, MANAGEMENT, DE
AND A LITTLE AND IN THE FUTURE AND RECORDS MANAGEMENT
FIELD OF MANAGEMENT AND RECORDS, MANAGEMENT, DE, AND A

TITLE PAGE OF DISPOSITION OF MATERIALS

THE INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN
OTHERWISE BY A CROSS REFERENCE TO THE INFORMATION CONTAINED IN THE
FOOTNOTES.

Nuclear Imaging of Kentucky, INC.
1541 Boone Road
Rineyville, KY 40162

16-17453-01
30 JUN 1994

RECEIVED BY LFMS
Date: 6/17/94
By: [Signature]
Date Completed: 6/17/94

FEE EXEMPT

OTHER DATA

No radioactive material was ever used at the above address.

Michael A. Yedvinak
804 398-5170

Michael A. YEDVINAK
COR. MC VAN
4104 BALVADORE DR.
CHARLOTTESVILLE, VA 22902

Michael A. Yedvinak
22 MAR 1994

RECEIVED
MAR 23 1993

REGION II

9403170166
CONTROL NO. 394863

CONVERSATION RECORD

TIME DATE
10:15am 05/20/93

VISIT CONFERENCE TELEPHONE

INCOMING
 OUTGOING

NAME OF PERSON(S) CONTACTED OR IN CONTACT ORGANIZATION (OFFICE, DEPT. ETC.) TELEPHONE NO.
Michael Yedinak, D.O. Nuc. Imaging of Kentuckiana, Inc. 804-398-5170

SUBJECT
Status of response to phone call on 4-19-93

SUMMARY
Licensee indicated he became ill shortly after the call and just returned back to work. He agreed to submit the requested information by 5-27-93.

ACTION REQUIRED
Extend response due date to 5-27-93

NAME OF PERSON DOCUMENTING CONVERSATION SIGNATURE DATE
Bob Gattone [Signature] 5-20-93

ACTION TAKEN

502 683-4266

CONVERSATION RECORD

TIME

DATE

TYPE

VISIT

CONFERENCE

TELEPHONE

INCOMING

OUTGOING

ROUTING

NAME/SYMBOL	INT

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

ORGANIZATION (Office, dept., Bureau, etc.)

TELEPHONE NO:

Dr Mike Fedinak

SUBJECT

SUMMARY

804-398-5170

1525 Bayville Street → 4104 Belvidere
Norfolk VA 23503 Chesapeake VA2

Nuclear Medicine Clinic

He cancelled license since 1990

Region II told them they have no license
since he was not present in State of Kentucky
He was at desert storm - Active duty

ACTION REQUIRED

NAME OF PERSON DOCUMENTING CONVERSATION

SIGNATURE

DATE

ACTION TAKEN

SIGNATURE

TITLE

DATE

CONVERSATION RECORD

TIME

12/15

DATE

12/19/91

TYPE

 VISIT CONFERENCE TELEPHONE INCOMING OUTGOING

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

Richard Bennett

ORGANIZATION (Office, Dept., Bureau, etc.)

Nuclear Administration

TELEPHONE NO.

502-

283-4266

SUBJECT

CN 9 2557

Almaging

Telecon w/ G.M. McCann

SUMMARY

We spoke w/ Mr. Bennett (Tech) about the license amendment request for non-continuous almaging. He explained circumstances about an agreement change of ownership of their facility and their use of materials. Mr. Bennett stated that the ownership of the DuPont Almaging & Fuel Fabricator did change. Dr. Vedant, the previous owner is still a partner in them. We informed Bennett that we have been in contact w/ K. Y. and Lisa that the license for the hot lab is for storage only. This must be amended to reactivate your program before we start mobile service in Indiana. We stated the bill. We informed Mr. Bennett that a letter will be sent to them which will instruct them on what action to take regarding the change of ownership and their amendment request.

ACTION REQUIRED

NAME OF PERSON DOCUMENTING CONVERSATION

SIGNATURE

DATE

D. Astura

12/19/91

ACTION TAKEN

SIGNATURE

TITLE

DATE

50271-101

U.S. GPO 1990-282-081/20175

CONVERSATION RECORD

OPTIONAL FORM 271 (1)
DEPARTMENT OF DEFENSE