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ADAMS Accession# ML22355A103

November 28, 2022

U.S. Nuclear Regulatory Commission, Region IV
1600 E. Lamar Boulevard
Arlington, TX 76011-4511

Re: NRC INSPECTION REPORT 030-36404/2022-001

Dear Regulator:

Thank you for taking your time to inspect DMS Health Technologies on September 15-16, 2022. This letter is being sent in response to that inspection of DMS Health Technologies operating under NRC Radioactive Materials License 40-32477-01.

In addressing items of noncompliance, A and B, corrective action for each noncompliance is addressed below:

A. 10 CFR 20.1906(c) requires, in part, that the licensee shall perform the monitoring required by 10 CFR 20.1906(b) after the package is received at the licensee's facility.

Contrary to the above, on September 15-16, 2022, the licensee failed to perform the monitoring required by 10 CFR 20.1906(b) after packagers were received at the licensee's facility. Specifically, after receiving radioactive packages (labeled with at Radioactive White I, Yellow II, or Yellow III label as specified in U.S. Department of Transportation regulations) at its facility in Sioux Falls, South Dakota, the licensee did not perform the monitoring required by 10 CFR 20.1906(b) prior to reoffering those packages for transport to their clients' locations.

- DMS Health Technologies will perform package monitoring required by 10 CFR 20.1906(c) after radioactive packages are received at licensee's facility prior to reoffering those packages for transport to our client's location. DMS will be fully compliant prior to January 1st, 2023.

B. 10 CFR 35.80(a)(1) requires that a licensee providing mobile medical service shall obtain a letter signed by the management of each client for which services are rendered that permits the use of byproduct material at the client's address and clearly delineates the authority and responsibility of the licensee and the client.

Contrary to the above, on September 16, 2022, the licensee provided mobile medical services and failed to obtain a letter signed by the management of the client for which services were rendered that permitted the use of byproduct material at the client's address. Specifically, the licensee rendered mobile medical services (administration of radiopharmaceuticals containing fluorine-19) at a client location in Yankton, South Dakota,

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but had not obtained a letter signed by the management of the client permitting the use of byproduct material at the client's address.

- DMS Health Technologies has obtained an updated letter signed by the management in Yankton, South Dakota permitting the use of byproduct material at the client's current address. To remain compliant, DMS Health Technologies will perform audits of these letters at all locations on an annual basis. The next annual review will occur by March 1st, 2023.

If you have any questions, please feel free to contact me at 913-609-1294 or e-mail nathan.dykstra@dmshealth.com.

Best Regards,

Nathan Dykstra
Radiation Safety Officer
DMS Health Technologies