

January 27, 2006  
EN-06-003

OFFICE OF ENFORCEMENT  
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Digirad Imaging Solutions, Inc. (EA-05-136)  
Bemus Point, NY 14712  
Docket No. 030-35802

Subject: CONFIRMATORY ORDER (EFFECTIVE IMMEDIATELY)

This is to inform the Commission that a Confirmatory Order confirming commitments reached as part of an alternative dispute resolution (ADR) mediation settlement agreement will be issued today, January 27, 2006, to Digirad Imaging Solutions, Inc. At issue was the submission by Digirad of inaccurate information to the NRC regarding the previous experience and qualifications of a cardiologist, Dr. Alfred C. Burris (EA-05-110 and EN 06-004)), whom Digirad wished to list as an authorized user on their license. Digirad agreed that they had received the inaccurate information from Dr. Burris, but denied that they had knowingly submitted the inaccurate information to the NRC. Nonetheless, the NRC maintained that a violation in careless disregard of NRC requirements occurred because the licensee is responsible for the acts and omissions of its agents. DIGIRAD agreed that it must submit complete and accurate information to the NRC in accordance with 10 CFR 30.9(a). As part of the agreement reached, a Notice of Violation at Severity Level III, with no civil penalty will be issued. Also, the licensee has taken or will take various corrective actions agreed to in the ADR session.

The schedule of notification and issuance:

Telephone Notification of Licensee	January 27, 2006
Mailing of Notice	January 27, 2006

The State of New York will be notified.

Contacts: S. Merchant, OE, 301-415-2747      C. Nolan, OE, 301-415-3360

**PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL  
VERIFICATION THAT LICENSEE HAS RECEIVED ACTION**

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