

Law Office of John J. Tormey III, Esq.
John J. Tormey III, PLLC
1324 Lexington Avenue, PMB 188
New York, NY 10128 USA
(212) 410-4142 (phone)
(845) 735-9691 (phone and voicemail)
(212) 410-2380 (fax)
jtormey@optonline.net
(b)(6)
www.tormey.org

FOIA/PA REQUEST
Case No.: 2012-0196
Date Rec'd: 4.12.12
Specialist: Kulgoe
Related Case: _____

REQUEST UNDER FREEDOM OF INFORMATION ACT ("FOIA")
5 UNITED STATES CODE SECTION 552 ET SEQ. (5 U.S.C. §552)

Thursday, April 12, 2012

VIA FAX: 1-301-415-5130, U.S. MAIL, and E-MAIL:

FOIA.resource@NRC.gov
with attachment/enclosure
U.S. Nuclear Regulatory Commission
FOIA/Privacy Officer
Mailstop: T-5 F09
Washington, D.C. 20555-0001 USA

VIA U.S. MAIL

United States Nuclear Regulatory Commission, Region I
475 Allendale Road
King of Prussia, PA 19406-1415 USA

Re: Megarad, Inc./Nuclear Regulatory Commission/License No. 31-30746-01

Dear Sirs/Mesdames:

I am an attorney in New York.

Under **Title 5 of the United States Code, Section 552 (5 U.S.C. §552)** ("FOIA"), request is hereby made that you, your colleagues, your office, and your offices, each timely provide to this, my law office, full, complete, unredacted, and otherwise unexpurgated copies of each and every document, text, correspondence, e-mail, transcript, textual image, pictorial image, graphic image, photo, screen-shot, print-out, and any other item of material (collectively, "Documents") which may be at all responsive to the following itemized requests 1 through 4 hereinbelow.

The requests hereinbelow are limited to Documents which are dated or which otherwise were generated or materialized in whole or in part from January 1, 1992 (inclusive) and thereafter through the present day.

The following Documents are requested herein:

1. Any documents relating to the corporation known as "Megarad, Inc."
2. Any documents relating to Ioan G. Crihan, P.E.

3. Any documents relating to License No. 31-30746-01.

4. Any documents relating to the termination of License No. 31-30746-01, and/or "Control No. 137644", as referenced in the letter of Kathy Dolce Modes to Ioan G. Crihan dated September 9, 2005, a copy of which is annexed hereto as Exhibit "A" to this FOIA request, and in the letter of Ioan G. Crihan to John D. Kinneman dated September 9, 2005, a copy of which is annexed hereto as Exhibit "B" to this FOIA request.

Digital Copies. I am specifically requesting digital copies herein, to spare costs. My understanding is that I am legally entitled to receive e-mailed transmission of digital copies, to my e-mail address of:

jtormey@optonline.net

5 U.S.C. §552(a)(3)(B) reads, in relevant part:

"(B) In making any record available to a person under this paragraph, an agency shall provide the record **in any form or format requested by the person** if the record is readily reproducible by the agency in that form or format. Each agency shall make reasonable efforts to maintain its records in forms or formats that are reproducible for purposes of this section.

(C) In responding under this paragraph to a request for records, an agency shall make reasonable efforts to search for the records in electronic form or format, except when such efforts would significantly interfere with the operation of the agency's automated information system.

(D) For purposes of this paragraph, the term "search" means to review, manually or by automated means, agency records for the purpose of locating those records which are responsive to a request " [Emphasis added].

Waiver Of Copying Fees. I am requesting that you and your agency waive all photocopying and retrieval fees for this FOIA request pursuant to **5 U.S.C. §552(a)(4)(A)(iii)**, which reads, in relevant part:

"(iii) Documents shall be furnished **without any charge** or at a charge reduced below the fees established under clause (ii) if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." [Emphasis added].

The herein-FOIA-requested material is clearly in the public interest, and clearly likely to contribute significantly to the public understanding of the operations and activities of the NRC.

Timing Of Reply. As you know, the Freedom of Information Act normally requires that any agency must respond to a request such as this one within twenty (20) days of receipt of the request, pursuant to **5 U.S.C. §552(a)(6)(A)** which reads, in relevant part:

"(A) Each agency, upon any request for records made under paragraph (1), (2), or (3) of this subsection, shall—

(i) determine within 20 days (excepting Saturdays, Sundays, and legal public holidays) after the receipt of any such request whether to comply with such request and shall immediately notify the person making such request of such determination and the reasons therefor, and of the right of such person to appeal to the head of the agency any adverse determination; and

(ii) make a determination with respect to any appeal within twenty days (excepting Saturdays, Sundays, and legal public holidays) after the receipt of such appeal. If on appeal the denial of the request for records is in whole or in part upheld, the agency shall notify the person making such request of the provisions for judicial review of that determination under paragraph (4) of this subsection."

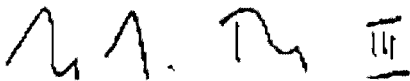
Appeals. In the event that any portion of my request is denied, please inform me of each of the specific reasons for any such denial in writing - and provide me with the name, address, and other contact information of the person or entity to whom an appeal should, and will, be directed.

Headings. Please be further advised that the topic-headings and underlinings I am using above, are for our convenience of reference purposes only, and should not be deemed to limit the requests in any way.

Cumulative And Non-Exhaustive Requests. This FOIA request is not exhaustive, and does not preclude the making of additional or follow-up requests by me or by any other party.

Thank you for your courtesies and responsiveness, which I anticipate, and will very much appreciate.

Very truly yours,

A handwritten signature in black ink, appearing to read "John J. Tormey III, Esq.", with a stylized flourish at the end.

John J. Tormey III, Esq.

cc's:

VIA U.S. MAIL, with enclosure

Kathy Dolce Modes, Health Physicist
Materials Security and Industrial Branch
Division of Nuclear Materials Safety
United States Nuclear Regulatory Commission, Region I
475 Allendale Road
King of Prussia, PA 19406-1415 USA



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

September 9, 2005

Docket No. 03036064
Control No. 137644

License No. 31-30746-01

Ioan G. Crihan, P.E.
President
Megarad, Inc.
417 East 64th Street
New York, NY 10021

SUBJECT: MEGARAD, INC., LICENSE TERMINATION, CONTROL NO. 137644

Dear Dr. Crihan:

Please find enclosed Amendment No. 1 terminating License No. 31-30746-01 as requested by your facsimile dated September 9, 2005. This termination is being issued in accordance with the requirements of the applicable NRC License Termination Rule (10 CFR 30.36, 10 CFR 40.42, and 10 CFR 70.38). All facilities previously used for licensed activities may be released for unrestricted use.

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, industrial, and academic uses of nuclear material**; then **toolkit index page**. Or you may obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 9:00 p.m. EST, Monday through Friday (except Federal holidays).

Your cooperation with us is appreciated.

Sincerely,

Original signed by Kathy Dolce Modes

Kathy Dolce Modes
Health Physicist
Materials Security and Industrial Branch
Division of Nuclear Materials Safety

Enclosure:
Amendment No. 1

cc:
Garry Balestracci, Radiation Safety Officer

EXHIBIT "A"

I. Crihan
Megarad, Inc.

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DOCUMENT NAME: E:\Filenet\ML052570309.wpd

SISP Review Complete: K. D. Modes

After declaring this document "An Official Agency Record" it will be released to the Public.

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/ attach/encl "N" = No copy

OFFICE	DNMS/RI	N	DNMS/RI		DNMS/RI			
NAME	KModes/KAD							
DATE	9/9/2005							

OFFICIAL RECORD COPY

MATERIALS LICENSE

<p>Licensee</p> <p>1. Megarad, Inc.</p> <p>2. 417 East 64th Street New York, New York 10021</p>	<p>3. License number 31-30746-01</p> <p>4. Expiration date Not Applicable</p> <p>5. Docket No. 030-36064 Reference No. 06-30423-01/030-34615</p>
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In accordance with the facsimile dated September 9, 2005, this license is hereby terminated.

For the U.S. Nuclear Regulatory Commission

Date September 9, 2005

By

Original signed by Kathy Dolce Modes

Kathy Dolce Modes
Materials Security and Industrial Branch
Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406



MEGARAD, INC.
417 East 64th Street, New York, NY 10021
Tel.: (212) 472-0840. Fax: (212) 288-0916
E-mail: USAMegaradinc@aol.com

P-3

September 9, 2005

USNRC - Region I
ATTN: John D. Kinneman, Chief
Materials Industrial & Security Branch
475 Allendale Road
King of Prussia, PA 19406-1415

To whom it may concern:

03036064

Effective immediately, Megarad, Inc. wishes to terminate By-Product Materials License 31-30746-01.

No radioactive material has ever been possessed or used under the authority of this license.

Thank you for your time and consideration.

President 
Ioan G. Chnan, P. Eng., P. E.

137644

EXHIBIT "B"

NMSS/RGNI MATERIALS-002

This is to acknowledge the receipt of your letter/application dated

9/9/2005, and to inform you that the initial processing which includes an administrative review has been performed.

☒ TEAM. 31-36746-01
There were no administrative omissions. Your application was assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information.

☐ Please provide to this office within 30 days of your receipt of this card

A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned Mail Control Number 137644.
When calling to inquire about this action, please refer to this control number.
You may call us on (610) 337-5398, or 337-5260.