



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PENNSYLVANIA 19406-2713

Br. 1

July 2, 2013

Docket No. 03035399

License No. 47-25522-01

Curtis Nichols
Pro Imaging Diagnostics
2547 Third Avenue
Huntington, WV 25703-1642

SUBJECT: PRO IMAGING DIAGNOSTICS, FILING FOR BANKRUPTCY AND
NOTIFICATION REQUIREMENTS

Dear Mr. Nichols:

The NRC has received information indicating that Pro Imaging Diagnostics may have filed for bankruptcy. Please note that NRC regulations in 10 CFR 30.34(h)(1) require that licensees that are the subject of a bankruptcy filing, immediately notify the NRC, in writing, of the filing. The purpose of the regulations is to ensure that the public health and safety is adequately protected, and all licensed material is properly controlled.

Please be reminded that even though Pro Imaging Diagnostics may be involved in bankruptcy proceedings, the above NRC license continues to remain in full effect even beyond its stated expiration date, until terminated in writing by the NRC. If the licensee no longer exists as an entity, the person with legal control of licensed material, contaminated equipment or property transferred by the licensee, is obligated to control all licensed material and to decontaminate and decommission the facilities or equipment, and to comply with applicable NRC requirements.

Bankruptcy filing does not relieve Pro Imaging Diagnostics of its responsibilities to comply with NRC requirements, including those related to security and control of licensed materials, decontamination and decommissioning of contaminated facilities, and retention of personnel required by the license conditions. You may not transfer control of the license without prior written approval of the NRC, and you may not transfer licensed material except as authorized by the NRC regulations.

You should ensure that your attorney and any trustee involved in the bankruptcy proceedings are aware of these obligations and the related NRC requirements. Pursuant to Section 184 of the Atomic Energy Act, a reorganized entity emerging from Chapter 11 bankruptcy is required to receive written approval of the NRC prior to assumption of control over licensed activities.

Please notify this office immediately, in writing, if Pro Imaging Diagnostics is unable to meet any of these requirements/conditions. Also, please notify this office: (1) of any changes to your licensed activities that the bankruptcy court may require, (2) when the bankruptcy proceeding is complete, and (3) when Pro Imaging Diagnostics emerges from bankruptcy.

Because the regulations cited above require each licensee to provide the required notification, we request your assistance in providing to us the names, addresses and telephone numbers of any other entities who may be affected by the bankruptcy (i.e. other daughter

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companies/subsidiaries of Pro Imaging Diagnostics, where such entity has an NRC or Agreement State license).

We will continue to monitor your activities to ensure that all licensed material remains secure from unauthorized access/removal, and is being used in full compliance with all applicable requirements. Please call Lester Tripp of this office at (610) 337-5358 if you have any questions regarding this matter.

Thank you for your cooperation.

Sincerely,

Original signed by James P. Dwyer

James P. Dwyer, Chief
Medical Branch
Division of Nuclear Materials Safety

cc:

James T. Norweck, Radiation Safety Officer
State of West Virginia