

ACP Radiopharmaceuticals, Inc.

January 28, 2008

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555

REFERENCE: Materials License No. 52-25361-01MD
DOCKET NO.: 03034187

REPLY TO A NOTICE OF VIOLATION

Dear Sir/Madam:

This is written in response to the Notice of Violation dated January 2, 2008 which was received by us on January 14, 2008. It has been confirmed that at the time of the inspection the site representative was unaware of the dose constraint of 10 millirem (0.1 mSv) per year to a member of the public from exposure to air emissions of radioactive material. Our investigation also determined that since prior I-131 stack release concentrations were routinely well below 20% of the 10 CFR Part 20 Appendix B Table 2 concentration limit the issue had not been raised by internal or external auditors.

The corrective actions that have been taken are as follows:

1. The physical location of the stack sampling point has been changed to monitor the radionuclide air emission concentration after the stack activated carbon filter and prior to release from the stack. This modification has provided more accurate data to indicate that there has been no exceedance of the 10 millirem constraint from I-131 emissions.
2. Training on the regulatory requirements related to public dose was completed as of January 25, 2008 for the Radiopharmacy radiation safety personnel. Training was conducted by John Laferriere CHP, RSO and Senior Health Physicist for the Materials License of Broad Scope License #MA60-0088.

The corrective actions to prevent further violations:

3. The stack release documentation at the Radiopharmacy has been modified with an additional section that keeps track of the running 52 week average stack release concentration and calculated public dose due to radionuclide air emissions. In addition, an in-house constraint of 18% of the 10 CFR Part 20 Appendix B Table 2 concentration limit has been established. If weekly sampling results begin to trend above this level, actions will be taken to reduce concentrations.
4. In addition, the RSO for the Radiopharmacy will attend a 40 hour refresher course for Radiation Safety Officers offered by Dade Moeller and Associates-Radiation Safety Academy. This course will include a comprehensive review of USNRC regulatory requirements and guidance documents.

Full compliance will be achieved with the implementation of above actions 1, 2, and 3 by January 31, 2008.

Please contact us if you require any additional information.

Sincerely,


Joel Cordero, R.Ph., BCNP
Associate Director Operations

cc: USNRC Region I
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