



TELECOPY TRANSMITTAL

DATE: 10-6-09

TO: James R. Mulbauer

Fax Number: 623-214-5213

FROM: Kevin B. Miller

RE: \_\_\_\_\_

COMMENTS: Have a great day!

This transmittal consists of 3 pages (including transmittal cover sheet). Please contact me if you have any questions or problems with this transmittal.

2309 Shelby Avenue Ann Arbor, MI 48103 (734) 662-9224 Fax (734) 662-3197	* 70 E. 91 <sup>st</sup> Street, Suite 106 Indianapolis, IN 46240 (317) 581-1981 Fax (317) 581-1911	* 4806 Mile High Drive Salt Lake City, UT 84124 (801) 272-2952 Office & Fax	* N7375 Crystal Ridge Drive Beaver Dam, WI 53916 (920) 885-9872 Fax (920) 885-9870
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July 20, 2009

UNITED STATES NUCLEAR REGULATORY COMMISSION  
Region III, Materials Licensing Section  
2443 Warrenville Road  
Suite 210  
Lisle, IL 60532-4352

- A. My position at Medical Physics Consultants allows me adequate time and flexibility to address both my contractual and regulatory obligations to any facility that I am currently listed as the Radiation Safety Officer.
- B. The amount of time for me to respond to an emergency involving radioactive material will vary depending upon my activities that day. Typically I would be able to respond immediately by phone. All facilities have both my cell phone and office phone numbers. The office staff at Medical Physics Consultants, Inc. has a copy of my daily schedule at all times. The staff has phone numbers to any location that I might be working.

Medical Physics Consultants, Inc. has an answering service that operates 24 hours a day, 7 days a week, 365 days a year. They have phone numbers for my home, cell, and office. If for some reason they are not able to contact me, they have a list of other physicists that are employed by Medical Physics Consultants, Inc. to contact. Many of these individuals are board certified physicists with a great deal of expertise. This same mechanism has been in place for years whenever one of our facilities is in need of immediate expertise and advice. If we are contacted for a radiological emergency, we direct the account to notify the appropriate management individual.

- C. As a consultant at Medical Physics Consultants, Inc, I am given the flexibility in my schedule to address both my contractual and regulatory obligations to any facility that I am listed as the Radiation Safety Officer. Currently, I am contracted at 36 facilities and listed as the RSO at one facility.

The position of Radiation Safety Officer is what we are contracted for by these facilities. All facilities have a signed contract by both the facility and Medical Physics Consultants, Inc. These contracts clearly outline both my responsibilities and the facilities. All facilities have signed a RSO / Management Agreement form that is available for review by the NRC.

All facilities are audited on a quarterly basis which is the standard of practice. These audits are forwarded to both management and the supervising technologist. These audits are reviewed and signed by both of these individuals.

- D. There will be no adverse impact due to being the RSO at more than one facility because I am given the flexibility in my schedule to address both my contractual and regulatory obligations to any facility that I am listed as the Radiation Safety Officer.
- E. I have been a consultant employed by Medical Physics Consultants, Inc. for 8 years. I have many years of experience with respect to compliance with NRC regulations and facility inspections. Historically, I have been able to manage my time adequately to perform all job duties including duties as the Radiation Safety Officer.

If you have any question or if I may be of assistance, please contact me by phone at (734)662-3197.

Thank you for your cooperation.

Sincerely,



David B. Miller  
Radiation Safety Officer