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25 February 2010

Administrator, Region III  
U.S.Nuclear Regulatory Commission  
2443 Warrenville Road, Suite 210  
Lisle, IL 60532-4352

Reference: Docket No 030-20567  
License No: 24-21362-01

Subject: Reply to Notice of Violation

Gentlemen,

American Radiolabeled Chemicals (ARC) wishes to further clarify our response to the notice of violation dated 28 December 2009.

ARC re states that we do not contest the violations, and admits that each listed example did occur.

We wish to amend Section F of our original reply to read as follows:

*F. License Condition 22.B. on Amendment No. 39 of NRC License No. 24-21362-01, requires, in part, that the licensee conduct its program in accordance with the statements, representations, and procedures contained in a letter dated February 8, 2005, including the RPP, dated October 21, 2004.*

*Item 6.1 of the licensee's RPP entitled "Radiation Safety Training" requires, in part, that all individuals who use radioactive material, before the use of material begins, shall be issued a copy of the RPP, attend training specific to their duties, and that on-the-job training will augment the training session.*



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*Contrary to the above, during the week of January 12, 2009, the licensee failed to provide three individuals who used radioactive material, training that was specific to their duties and responsibilities, a copy of the licensee's RPP, and on-the-job training.*

*This is a Severity Level IV violation (Supplement VI).*

### **ARC Response**

ARC agrees that the violation did occur. The individuals were not trained exactly in accordance with section 6.1 of the ARC Radiation Protection Program, specifically the individuals did not receive a copy of the RPP, and they did not receive On the Job Training.

### **Cause**

There are two scopes of training in routine use at ARC. The first is for outside contractors brought in to repair or install equipment. This is covered by SOP 21 Contractor Training. The second is training for newly hired employees, this is covered by Item 6.1 of the RPP. However the RPP does not specifically state that this section pertains to ARC employees.

The individuals covered by this inspection do not fit into either category. Non-routine training is tailored to the individual and the operation to be performed. A description of the training received by BetaBatt personnel was attached to the original reply. The individuals did "*attend training specific to their duties,*"

The RSO did not believe that training methods were limited to only those described in the RPP.

### **Corrective Action**

ARC will revise the RPP to allow for non-routine training requirements.



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Action to prevent recurrence

Same as corrective action.

Full Compliance

When the revisions to the RPP are approved by Region III and the license is amended to reflect this.

ARC hopes that this will help clear any confusion related to our original reply.

Sincerely,

A handwritten signature in black ink that reads "Surendra K Gupta". The signature is written in a cursive, flowing style.

Surendra K Gupta, PhD, President  
American Radiolabeled Chemicals, Inc



American Radiolabeled  
Chemicals, Inc.

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FACSIMILE COVER SHEET

Date: 25 February 2010  
Name: Kevin Null  
Company: USNRC Region III  
Fax #: 1-630-829-9782  
From: Regis A Greenwood, CHP, ARC Inc

Total Number of Pages Including Cover Sheet: 4

Message:

Kevin,  
Hope this is the answer  
RG