



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION I
2100 RENAISSANCE BLVD., SUITE 100
KING OF PRUSSIA, PA 19406-2713

October 14, 2015

Docket No.: 03038862
Mail Control: 588558

License No.: 41-35264-01

Elizabeth Gillenwalters
Corporate Radiation Safety Officer
Ameriphysics, LLC
9111 Cross Park Drive, Suite D200
Knoxville, TN 37923

SUBJECT: AMERIPHYSICS, LLC, REQUEST FOR ADDITIONAL INFORMATION
CONCERNING NRC LICENSE APPLICATION, CONTROL NO. 588558

Dear Ms. Gillenwalters:

This letter is in reference to the subject application, dated July 31, 2015 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML15231A610), requesting a Nuclear Regulatory Commission License. This letter also is a follow-up to our telephone conversation on October 14, 2015 regarding the below information. In order to continue our review, we need the following information:

1. Regarding Item 5: Radioactive Material, of your application, you requested any radioactive material with atomic numbers 3 through 98, inclusive, in any form, and no single nuclide to exceed 10 CFR 30.72 Schedule C quantities and 100 Ci total. Provide the byproduct material with atomic numbers and the maximum amount that you will possess at any one time. An example of a NRC service provider license is provided below. You may find Section 8.5 of NUREG-1556, Vol. 18, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Service Provider Licenses", dated November 2000 (NUREG-1556) helpful when preparing your response (<http://pbadupws.nrc.gov/docs/ML0037/ML003779351.pdf>).

6. Byproduct, source, and/or special nuclear material	7. Chemical and/or physical form	8. Maximum amount that licensee may possess at any one time under this license
A. Any byproduct material with atomic numbers 1 through 83	A. Any	A. _ curie(s) per source and _ curie(s) total
B. Any byproduct material with atomic numbers 84 through 98	B. Any	B. _ curie(s) per source and _ curie(s) total
C. Source Material	C. Any	C. _ kilograms
D. Depleted Uranium	D. Any	D. _ kilograms
E. Special Nuclear Material	E. Any	E. _ grams U-233; _ grams U-235; _ grams Pu, or any combination of these provided the sum of the ratios does not exceed unity
F. Radium 226	F. Any	F. _ curie(s)

2. Regarding Item 5: Radioactive Material, Form, of your application, you requested any chemical and/or physical form including unsealed materials. Please confirm if the unsealed materials will be nonvolatile.
3. Regarding Item 6: Radioactive Material Uses, you requested possession incident to performing “commercial services utilizing unsealed or uncontained license material” for the purpose of Packaging, Repackaging, and Transportation of Radioactive Waste, as well as other services. Please confirm that you will not open packages containing radioactive waste.
4. Regarding Item 7: Individuals Responsible for Radiation Safety Program and Their Training and Experience, please provide a description of your training and experience and include the uses of licensed material identified on the license to indicate that you are able to oversee the radiation safety program during normal and emergencies. You may find Section 8.7.1 of NUREG-1556 helpful when preparing your response.
5. Your application requests activities related to site remediation requiring additional information to that of NUREG-1556, Volume 18. This information may be found in Policy and Guidance Directive FC 94-02, “Licensing Site Remediation Contractors for Work at Temporary Job Sites” (P&GD FC 94-02). In accordance with P&GD FC 94-02, please confirm the following:
 - a. Possession of licensed materials, other than calibration sources and reference standards and contaminated equipment owned by the applicant, is limited to licensed materials originating from a customer’s site; all such licensed materials will be transferred to an authorized recipient or remain at the customer’s site.
 - b. You will notify the Region I Administrator at least 14 days before initiating activities at a temporary job site, providing the following minimum information:
 - a. The estimated type, quantity and physical/chemical forms of licensed materials to be used;
 - b. The specific site locations;
 - c. A description of planned activities including waste management and disposition;
 - d. The estimated start date and completion date for the job; and
 - e. The name and title of a point of contact for the job, including information on how to contact the individual.
 - c. If the customer (site owner/operator) also holds a license issued by the NRC or an Agreement State, you will establish a written agreement between you and the customer specifying which licensed activities will be performed under the customer’s license and supervision, and which licensed activities will be performed under your service license. This agreement should include commitments by both licensees to ensure safety, and should specify whether there are any commitments by your service license to help the customer clean up the temporary job site if there is an accident.

- d. Prior to handling licensed materials at any one site in quantities that require an emergency plan, you will obtain NRC approval of an evaluation that an emergency plan is not required for that temporary job site, or submit written confirmation that personnel have been trained and will follow an existing emergency plan for the temporary job site.
 - e. You will maintain records of information important to the decommissioning of each temporary job site pursuant to 10 CFR 30.35(g), 40.36(f) and 70.25(g); such records will be available to customers during your work for the customer and you will transfer these records to the customer when your activities at the temporary job site are complete. (Please note that, in Item 5 of your application on page C-7, you stated that you did not believe this is required for temporary job site locations; this is not correct.)
 - f. In the event of an emergency that departs from the conditions of the license such that immediate action is needed to protect public health and safety and no actions consistent with all license conditions can provide adequate or equivalent protection, you will notify the NRC before, if practicable, and in any case immediately after taking such emergency action.
 - g. Within 30 days of completing activities at each temporary job site, you will notify the Region I Administrator of the status of the temporary job site and the disposition of the material used under your license at that job site.
 - h. You will maintain all radiation safety programs between jobs, including but not necessarily limited to:
 - a. Maintaining qualified personnel in key positions such as the Radiation Safety Officer;
 - b. Hold radiation safety committee meetings at the frequency specified in your application;
 - c. Perform regular maintenance and calibration of safety equipment;
 - d. Complete required training, including periodic refresher training.
6. Regarding your NRC Form 313, Certification, representatives signing an application must be authorized to make binding commitments and to signing official documents on behalf of the applicant. Signing the application acknowledges management's commitment and responsibilities for the radiation protection program. Please resubmit your NRC Form 313 with the signature of an individual who fits the description. You may find NUREG-1556, Sections 3 and 8.13 helpful when preparing your response.

We will continue our review upon receipt of this information. Please reply to my attention at the Region I Office and refer to Mail Control No. 588558. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5323. Your reply must be in writing by letter or facsimile (610-337-5269). You may submit a signed PDF via email. If we do not receive a reply from you within 30 calendar days from the date of this letter, we will assume that you do not wish to pursue your application.

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Med, Ind, & Academic Uses**; then **Licensee Toolkits, see our toolkit index page**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 8:00 a.m. to 5:30 p.m. EST, Monday through Friday (except Federal holidays).

Your submittal should not contain personally identifiable information (PII), such as date of birth, social security number, home addresses, and home telephone numbers. For additional information, refer to Regulatory Information Summary 2007-04, Personally Identifiable Information Submitted to the U.S. Nuclear Regulatory Commission, dated March 9, 2007, (<http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2007/ri200704.pdf>).

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency's *expectations* for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web site at <http://www.nrc.gov/about-nrc/safety-culture.html>. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

Sincerely,

A handwritten signature in cursive script that reads "Laurie A. Kauffman".

Laurie A. Kauffman
Health Physicist
Decommissioning and Technical Support Branch
Division of Nuclear Materials Safety