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1101 BEACON STREET
BROOKLINE, MASSACHUSETTS 02146

February 8, 1994

Ms. Jenny M. Johansen
Chief, Medical Inspection Section
Division of Radiation Safety & Safeguards
United States Nuclear Regulatory Commission
Region I, 475 Allendale Road
King of Prussia, Pa. 19406-1415

DOCKET #: 030-1888
LICENSE #: 20-06900-01

Dear Ms. Johansen,

Thank you for your letter of February 3, 1994, and the enclosed materials.

In conjunction with the matter at hand, I have reviewed all of the data and correspondence of the past year and in particular my letter to Dr. Mohamed M. Shanbaky. At the time when he and his team performed an on-site inspection of my facility, he instructed me as to what he would require for quality control tests which demonstrated the accuracy, linearity, consistency, and geometry of our system. Perhaps I should indicate that in addition to our equipment being able to scan for images, it also has a combination scintillation counter which serves very well as a calibrator. Dr. Shanbaky instructed me as to which testing and determinations were required and these were provided along with my letter of January 4, 1993.

Referring to Graph A, this showed the variation of the capsules supplied to us by Mallinckrodt, tested on a random basis, did not vary by more than 3%. Graph I demonstrates the linearity of individual capsules, again taken randomly, and counted at a constant geometry. Graph II also confirms the reliability of our calibration by showing excellent adherence to Beer's Law.

In any case, I would very respectfully like to request an exemption from the regulation based on the following:

- 1) I have held an NRC license since 1962 (initially AEC) and we have never had any type of accident or problem handling by-product material in over 30 years.
- 2) I am a small entity user and only utilize I-131 which are provided to me by Mallinckrodt Laboratories in sealed sources and in pre-calibrated amounts which are administered to the patient. Consequently, we have no disposal or waste problems.

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Ms. Jenny Johansen
re: DOCKET #: 030-1888
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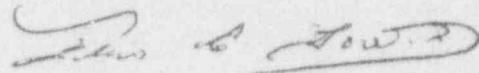
3) I service patients only for my own practice and perform only 2-3 I-131 up-takes and thyroid scinto-scans per week. I personally supervise all operations, and as mentioned, we have never had any mishap.

4) In over 30 years, we have never found any discrepancy between our calibration of by-product material supplied to us and that is stated by the manufacturer.

I would therefore very much respectfully request that we be exempted from some of the technical aspects of the regulations since, in effect, we do fulfill the intent and requirement of the NRC. In fact, we truly have had a perfect safety record.

With many thanks for your considerations, I remain

Yours sincerely,



Elias C. Dow, M.D.

ECD/ck