

VOID SHEET

TO: License Fee Management Branch

FROM: RIII - COLLEEN C. CASEY

SUBJECT: VOIDED APPLICATION

Control Number: 303688
Applicant: CHAI Development Corp & b/q Mobile Testing
License Number: 48-24566-01
Docket Number: 030-28875
Date Voided: 6/1/98
Reason for Void: Region will void action while TAR
is pending in NMSS HQ. Region will re-activate, if necessary,
when TAR response is received.

Colleen C. Casey
Signature

6/1/98
Date

Attachment:
Official Record Copy of
Voided Action

FOR LFMB USE ONLY

- ☐ Refund Authorized and processed
☒ No Refund Due
☐ Fee Exempt or Fee Not Required

Comments: _____

Log completed ☒

Processed by: SAC 6/10/98

110071

ML
30
BT

BETWEEN:

License Fee Management Branch, ARM
and
Regional Licensing Sections

(FOR LFMS USE)
INFORMATION FROM LTR

Program Code: 02220
Status Code: 0
Fee Category: 7C
Exp. Date: 20010331
Fee Comments:
Decom Fin Assur Req'd: N

LICENSE FEE TRANSMITTAL

A. REGION

1. APPLICATION ATTACHED

Applicant/Licensee: CHAI DEVELOPMENT CORPORATION
Received Date: 980311
Docket No: 3028875
Control No.: 303688
License No.: 48-24566-01
Action Type: Amendment

56

1998 APR 17 11:34

2. FEE ATTACHED

Amount:
Check No.:

3. COMMENTS

Signed
Date

[Signature]
3/12/98

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered ☒)

1. Fee Category and Amount:

7C \$460

2. Correct Fee Paid ☒ Application may be processed for:
Amendment
Renewal
License

3. OTHER

Signed
Date

[Signature]
4/14/98

APR 17 1998

Log	Mar 7 1998
Remitter	
Check No.	3801
Amount	\$460
Fee Category	7C
Type of Fee	AMD
Date Check Rec'd	4/14/98
Date Completed	4/14/98
By:	SC

Colleen C. Casey
US NRC Region III, Licensing Section
801 Warrenville Rd.
Lisle, Illinois 60532-4351

3/5/98

Dear Ms. Casey:

CHAI Development Corporation d/b/a Mobile Testing (lic. no. 48-24566-01) and MNC, Inc d/b/a Metropolitan Imaging Center (lic. no. 48-32008-01) are both requesting an exemption to 10CFR 35.70.b.

10CFR 35.70.b states that "A licensee shall survey with a radiation detection instrument at least once each week all areas where radiopharmaceuticals or radiopharmaceutical waste is stored."

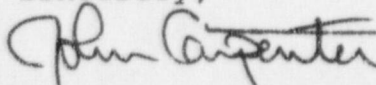
However, there can be calendar weeks in which no activity occurs at a given site. Under the current regulation, the licensee is required to dispatch a person to the site solely for the purpose of this survey.

It needs to be noted that both licensees are complying with all regulations. In this case, end of the day surveys are performed. Despite this, the regulation demands a return to the site again during an "off" week to perform a redundant survey.

The licensees understand the purpose of the regulation. It is suited for nominal or high volume sites. It is not warranted in low volume sites. There are safety concerns: the risk of the staff during travel to reproduce an additional survey. There are resource concerns: the cost of staff and administration is a burden without any gain in safety (or compliance).

Your consideration in this matter is appreciated.

Sincerely,



John Carpenter
REO

RECEIVED

MAR 06 1998

REGION III

303688 Jm: 3/4/98

LICENSE FEE REQUIREMENTS

LICENSE FEE AND DEBT COLLECTION BRANCH
DIVISION OF ACCOUNTING AND FINANCE
OFFICE OF THE CONTROLLER
U.S. NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555-0001CHAI DEVELOPMENT CORPORATION
D/B/A MOBILE TESTING
ATTN: JOHN CARPENTER, RSO
1575 RIVERCENTER DRIVE SUITE 144
MILWAUKEE, WI 53212

TYPE OF ACTION

- ☐ NEW LICENSE
☐ RENEWAL OF LICENSE
☒ AMENDMENT TO LICENSE

REQUESTED DATE

3-5-98

LICENSE NUMBER

48-24566-01

CONTROL NUMBER

303688

I. APPLICATION FEE DUE

Your request for a licensing action is subject to the fee(s) in the category(ies) noted below in accordance with Section 170.31 of the enclosed Federal Register notice. Payment of the fee is required prior to the issuance of the license, renewal, or amendment.

FEE CATEGORY	APPLICATION	RENEWAL	AMENDMENT
7C	\$	\$	\$ 460.00
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$

FEE(s) DUE	\$	460.00
PAYMENT RECEIVED	\$	0.00
AMOUNT DUE	\$	460.00

☒ Your request was received without the prescribed application fee.

☐ We received your Check No. _____ in the amount of \$ _____. Payment of the additional fee noted above is required.

☐ Your request will increase the scope of your license program. Therefore, your request is subject to the application fee(s) noted above. Refer to Section 170.31 and Footnote 1(d)(2).

☐ Your license expired prior to the receipt of your application for renewal. Therefore, your request is subject to the application fee(s) noted above. Refer to Section 170.31 and Footnote 1(a).

MAKE PAYMENT OF THE FEE(S) TO THE U.S. NUCLEAR REGULATORY COMMISSION AND MAIL THE PAYMENT TO THE ADDRESS LISTED AT THE TOP OF THIS FORM. IF WE DO NOT RECEIVE A REPLY FROM YOU WITHIN 30 CALENDAR DAYS FROM THE DATE LISTED BELOW, WE SHALL ASSUME THAT YOU DO NOT WISH TO PURSUE YOUR APPLICATION AND WILL VOID THIS ACTION.

II. FEE NOT REQUIRED

- ☐ Enclosed is Check No. _____ which accompanied your request. The fee is not required because:
- ☐ We received your Check No. _____ in payment of the fee.
- ☐ The Licensing staff has informed us that your request is to be considered as a continuation of your request dated _____, Control No. _____.
- ☐ Your request was combined, prior to review, with your request, Control No. _____.

III. CHECK RETURNED

- ☐ Enclosed is Check No. _____ which was returned to us by the bank for:
- ☐ INSUFFICIENT FUNDS
- ☐ ACCOUNT CLOSED
- ☐ OTHER

MAIL THE REPLACEMENT CHECK TO THE ADDRESS LISTED AT THE TOP OF THIS FORM AND REFERENCE THE ABOVE CONTROL NUMBER.

IV. LICENSE ISSUED WITHOUT THE REQUIRED FEE

- ☐ License No. _____, Amendment No. _____, issued on _____, was issued without the required fee being collected. The fee required is noted in Section I of this form.
- ☐ The scope of your licensed program was increased. Therefore, your request is subject to the application fee(s) noted in Section 1 of this form. Refer to Section 170.31 and Footnote 1(d)(2).
- ☐ Because of the urgency of your request, the license was issued without remittance of the prescribed fee noted in Section 1 of this form.

SIGNATURE -- LICENSE FEE ANALYST

SHIRLEY CRUTCHFIELD

LFDCB

3/16/98

LFDCB

Distribution:

Pending Fee File OCFO/DAF/SF(LF-3.2.7)
LFARB R/F (2) Region 3
OCFO/DAF R/F

DATE

Mar. 16, 1998

MOBILE TESTING

Colleen Casey
US NRC Region III, Licensing Section
801 Warrenville Rd.
Lisle, Illinois 60532-4351

5/14/98

Dear Ms. Casey:

CHAI Development Corporation d/b/a Mobile Testing (license no. 48-24566-01) and MNC, Inc. d/b/a Metropolitan Imaging Center (license no. 48-33008-01) are both requesting an exemption to 10CFR35.70.b.

This letter is a clarification/addendum to the 4/3/98 letter.

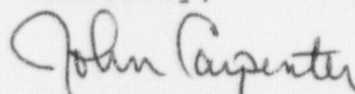
1) We are currently following the appropriate sections of 10CFR35 which deal with mobile operations.

2) Our request concerns seldom used, licensed, fixed site locations. I confused the situation in the 4/3/98 letter by using the words "satellite licensed locations" which has one meaning for me, but has a different implication for the NRC.

Again, specifically, we have a licensed, fixed site whose scheduled activity is subject to a wide variance of scheduled activity. We want to completely satisfy all safety concerns, and have submitted a detailed proposal.

I hope this clarifies our position, I look forward to your thoughtful consideration.

Sincerely,



John Carpenter
Radiation Safety Officer

1218 W. Kilbourn Avenue
Suite 220
Milwaukee, WI 53233
(414) 219-7060

RECEIVED

MAY 26 1998

REGION III

MAY 26 1998

UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351
630-829-9841 (phone), 630-515-1259 (fax)

CONVERSATION RECORD

TIME
morning

DATE
5/14/98

NAME OF PERSON(S) CONTACTED

ORGANIZATION

TELEPHONE NO.

John Carpenter, RSO

MNC Inc./CHA Development

414-283-8494

SUBJECT

License No.: 48-32008-01, 48-24566-01
Control No.: 303688, 303689

SUMMARY

A preliminary review of your letter dated 4/3/98 revealed that insufficient information was provided to consider your request for exemption. Please provide the information requested below explicitly and completely so that we may continue to process your request.

1. State why you are requesting the exemption, i.e., justify your position.
2. Describe alternative procedures and compensatory safety measures as necessary to provide an equivalent level of health and safety as the regulation for which the exemption is being requested.
3. Provide us with a statement of assurance that consideration of all reasonable alternatives for complying with the regulation has been exhausted.
4. What do you mean by "satellite ...locations?" Are you referring to temporary job sites? If so, 10 CFR 35.80 would apply and you can't leave dose calibrator reference sealed sources and radwastes behind at TJS's. Therefore, no need to request exemption.

John said he is requesting exemption for the other permanent facilities on each license that he doesn't visit every week, when patients are not scheduled. He complies with 35.80 for temporary job sites, that is not a problem. He will respond and clarify the above 4 items better.

ACTION REQUIRED

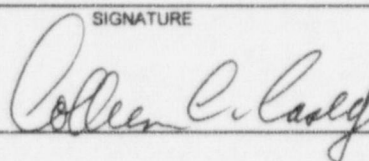
15 days to respond.

NAME OF PERSON DOCUMENTING CONVERSATION

SIGNATURE

DATE

Colleen C. Casey

1 

5/14/98

METROPOLITAN IMAGING CENTER

Colleen C. Casey
US NRC Region III, Licensing Section
801 Warrenville Rd.
Lisle, Illinois 60532-4351

4/3/98

Dear Ms. Casey:

CHAI Development Corporation d/b/a Mobile Testing (lic. no 48-24566-01) and MNC, Inc a/b/a Metropolitan Imaging Center (lic. no 48-33008-01) are both requesting an exemption to 10CFR 35.70.b.

10CFR 35.70.b. states that "A licensee shall survey with a radiation detection instrument at least once each week all areas where radiopharmaceuticals or radiopharmaceutical waste is stored."

This is prudent and appropriate for many licensees where there is daily or near daily activity. Currently, the above two licensees are in compliance.

However, there are selected instances which make the specific regulation as stated to be a hardship and possibly unnecessary:

- There can be occasions at satellite licensed locations when no activity is received or used during a calendar week. The licensee has to travel to the site for the sole purpose of a redundant survey, as a survey is performed prior to leaving the site on each date of service.
- There can be occasions, due to absence of authorized users (vacations, meetings, etc) at smaller entities, when no activity is scheduled during a week. Again, surveys are performed on each date of service. It appears redundant to schedule expensive technical help to perform a weekly survey during this time of no activity.

The licensees have considered many alternatives. Certainly there are scheduling and economic burdens associated with the current compliance. There are also safety concerns because of travel. There is no gain in radiation safety. An alternative is suggested: relief from the regulation with a survey at least quarterly (in addition to any date of service).

This provides an equivalent measure of safety. Physical inventory of sources and dose calibrator linearities are performed quarterly.

RECEIVED

APR 13 1998

REGION III

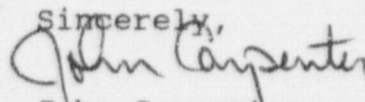
APR 13 1998

pm 4/6/98

**METROPOLITAN
IMAGING
CENTER**

There is an element of logic: Surveys are performed on the date of service. Checks for removable contamination are made weekly. The area is documented to be at background levels. If there is no activity received or used during an arbitrary calendar week, then there is no need for a survey. This minor concern was probably not anticipated in the original rulemaking.

Your consideration in this matter is appreciated.

Sincerely,

John Carpenter
RSO

UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351
630-829-9841 (phone), 630-515-1259 (fax)

CONVERSATION RECORD

TIME

1:00 p.m.

DATE

3/27/98

NAME OF PERSON(S) CONTACTED

ORGANIZATION

TELEPHONE NO.

John Carpenter, RSO

MNC Inc./CHAI Development

414-283-8494

SUBJECT

License No.:48-32008-01, 48-24566-01

Control No.:303688, 303689

SUMMARY

A preliminary review of your letter dated 3/5/98 revealed that insufficient information was provided to consider your request for exemption. Please provide the information requested below explicitly and completely so that we may continue to process your request.

1. State why you are requesting the exemption, i.e., justify your position.
2. Describe alternative procedures and compensatory safety measures as necessary to provide an equivalent level of health and safety as the regulation for which the exemption is being requested.
3. Provide us with a statement of assurance that consideration of all reasonable alternatives for complying with the regulation has been exhausted.

ACTION REQUIRED

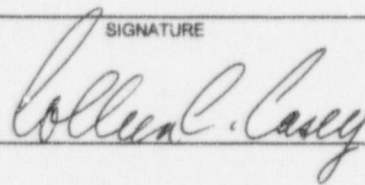
15 days to respond.

NAME OF PERSON DOCUMENTING CONVERSATION

SIGNATURE

DATE

Colleen C. Casey

1 

3/27/98



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351

March 13, 1998

John Carpenter, Director
Radiation Safety Officer
CHAI Development Corporation
d/b/a Mobile Resting
1575 River Center Drive, Suite 144
Milwaukee, WI 53212

SUBJECT: ACKNOWLEDGEMENT OF CORRESPONDENCE
(Letter Dated March 5, 1998)

Dear Licensee:

In response to your request, we have completed the initial processing, which is an administrative review of your application for a(n):

☐ New License ☒ Amendment ☐ Renewal
☐ Termination ☐ Auth User (Amendment not required)
☐ Other _____

Administrative deficiencies were identified during this initial review as outlined below. However, it should be noted that a technical review may identify additional omissions in the submitted information.

It appears that your request is routine (see 1-3 below as applicable).

Incomplete information is as follows: In order for us to complete your request the required fee is necessary. Please contact our License Fee & Debt Collection Branch, located in our headquarters office, as referenced below.

1. New and amendment actions are normally processed within 90 days, unless we find major deficiencies, or policy issues requiring central program office assistance.
2. Renewal actions are normally processed within 180 days, however under timely filing (before expiration) you may continue to operate under your existing license.
3. Termination actions are normally processed within 90 days, unless confirmatory surveys following decontamination/decommissioning activities are involved.

A copy of your correspondence has been forwarded to our Licensing Fee and Debt Collection Branch (301/415-6097) for approval of the fee category and amount, if required.

If you have a compelling safety or business-related reason for requesting expedited review, please contact the Materials Licensing Branch at (630) 829-9887. We will try to complete your request as soon as practicable. Any correspondence about this request should reference the control number.

Nuclear Materials Support Branch

Mail Control No. 303688
License No. 48-24566-01