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| **From:** | Tran, Frank |
| **To:** | "nicholasvitaledvm@gmail.com" |
| **Cc:** | Laura T. Smith- Physics (lsphysics@att.net); "csmith@fxmasse.com" |
| **Subject:** | Request additional information for NRC license application for Wilson Veterinary Hospital |
| **Date:** | Friday, February 25, 2022 3:01:00 PM |

Dear Dr. Vitale:

We have reviewed your application for the NRC Materials license for Wilson Veterinary Hospital. We reviewed your application in accordance with the NRC regulations and licensing guidance, NUREG-1556, Volume 7, Revision 1, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Academic, Research and Development, and Other Licenses of Limited Scope" which can be found on the NRC's website at https://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/v7/index.html. Based on the NRC policy, a NRC Materials license will be issued in accordance with NRC regulations and guidance if the application meets the requirements in Tittle 10 of the *Code of Federal Regulations* (10 CFR) Section 30.32. Based on the review, we will need the following information.

1. Provide the following statement: "Pursuant to 10 CFR 30.35(g), we will maintain records important to decommissioning and transfer these records to an NRC or Agreement State licensee before licensed activities are transferred or assigned, in accordance with 10 CFR 30.34(b). Furthermore, pursuant to 10 CFR 30.51(f), prior to license termination, we will forward the records required by 10 CFR 30.35(g) to the appropriate NRC Regional Office."

2. The facility diagrams were unreadable. Please resubmit a copy of eligible facility diagram with scale and/or dimension. In addition, please indicate the surrounding areas of the storage/use areas and the location where licensed material will be received.

3. Provide a description of the area where radioactive waste will be held for decay-in-storage. Additionally, please confirm that you will not compact the radioactive waste. If you would like to compact the radioactive waste, please provide information as discussed in Section 8.11, "Waste Management", in NUREG-1556, Volume 7, Revision 1, including the method for monitoring airborne contamination, if applicable.

4. Provide a description of the area where dogs will be housed after the administration of licensed material. In addition, please describe the radiation safety training for individuals who will care for the dogs treated with licensed material.

5. We are aware that the proposed RSO was a health physics consultant for NRC materials licenses. If applicable, provide the following:
    - Identify other commitments of the consultant-RSO for other NRC or Agreement State licensed facilities, along with a description of how the consultant-RSO will allocate time to permit the performance of the duties of the RSO, as described in the regulations. State the consultant-RSO's minimum amount of onsite time (hours per week or days per quarter, as

appropriate for the size of the program).

- Identify an in-house representative who will serve as the point of contact during the RSO's absence (This person may be allowed to assist the consultant RSO in his or her duties. Any such duties should be clearly defined.)
- Describe the overall availability of the consultant-RSO to respond to questions or operational issues that arise during the conduct of the radiation safety program and related regulatory requirements.
- Specify the maximum amount of time it will take the consultant RSO to arrive at the facility, in the event of an emergency that requires his or her presence.

6. Provide a copy of veterinary physician's license issued by the state authority with status (active or current) for the proposed user (Nicholas Vitale, DVM) and a copy of the business license issued to Wilson Veterinary Hospital by the local or state government for the facility located at 1200 Durham St., Washington, Michigan 48095.

7. Provide a confirmation that licensed material will only be used by, or under the supervision and in the physical presence of, authorized users listed in the license.

8. You request to dispose radioactive wastes from licensed operations via decay-in-storage. Please provide the following statements:

   A. Before disposal as ordinary trash, the waste shall be surveyed at the container surface with the appropriate survey instrument set on its most sensitive scale and with no interposed shielding to determine that its radioactivity cannot be distinguished from background. All radiation labels shall be removed or obliterated, except for radiation labels on materials that are within containers and that will be managed as biomedical waste after they have been released from the licensee.

   B. A record of each such disposal permitted under this license condition shall be retained for 3 years. The record must include the date of disposal, the date on which the byproduct material was placed in storage, the radionuclides disposed, the survey instrument used, the background dose rate, the dose rate measured at the surface of each waste container, and the name of the individual who performed the disposal.

9. Provided a statement that the licensee will ensure radiation level in the unrestricted areas above, below, and surrounding the storage and use areas in compliance with the NRC requirements in 10 CFR 20.1301, "Dose limits for individual members of the public".

10. For the proposed radiation monitoring instrument, describe the instrumentation that will be used to perform required surveys and provide the following statement: "We will use instruments that meet the radiation monitoring instrument specifications published in Appendix I in NUREG–1556, Volume 7, Revision 1, 'Program-Specific Guidance About Academic, Research and Development, and Other Licenses of Limited Scope.' We reserve the right to upgrade our survey instruments as

necessary."

11. For radiation instrument calibration, provide the following statement: "Radiation survey instruments will be calibrated before first use, at least annually thereafter, and after any repair, by a vendor that the NRC or an Agreement State has licensed to perform instrument calibration."

12. For licensed material receipt and accountability, provide the following statement: "We will develop, implement, and maintain procedures for ensuring accountability of licensed materials at all times."

13. For monitoring of occupational dose, provide one of the followings:
    - "We will maintain, for inspection by the NRC, documentation demonstrating that unmonitored individuals are not likely to receive a radiation dose in excess of the limits in 10 CFR 20.1502."

    or

    - "We will monitor individuals in accordance with the guidance in the section titled, 'Radiation Safety Program–Occupational Dose' in NUREG–1556, Volume 7, Revision 1, 'Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Academic, Research and Development and Other Licenses of Limited Scope.'"

    or

    - Provide a description of an alternative method for demonstrating compliance with the referenced regulations.

To continue the review of your application, we request that you submit your response under a dated and signed cover letter (signed by the licensee senior executive management or designee) by March 28, 2022. In the cover letter, please reference Mail Control No. 629903.

If you have questions, require additional time to respond, or require clarification on any of the information stated above, please contact me at 630-829-9623 or reply to this email.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this correspondence will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at https://www.nrc.gov/reading-rm/adams.html.

Sincerely,

*Frank Tran*

Health Physicist/License Reviewer
NRC Region III/Division of Nuclear Materials Safety

Phone: 630-829-9623
Fax: 630-515-1078
Email: Frank.Tran@nrc.gov