



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION III
2443 WARRENVILLE RD. SUITE 210
LISLE, IL 60532-4352

August 15, 2022

James M. Botti, MS
Radiological Physicist
APC Physicians PLLC
6742 Park Ave.
Allen Park, MI 48101

Dear Mr. Botti:

I am reviewing the application dated May 12, 2022, signed by Chaman L. Sohal, M.D., President, requesting the renewal of U.S. Nuclear Regulatory Commission (NRC) Materials License No. 21-26792-01.

The NRC's guidance document for your type of license, which I refer to below as "the guidance", is NUREG-1556, Volume 9, Rev. 3, dated September 2019, "Consolidated Guidance About Materials Licenses – Program-Specific Guidance About Medical Use Licenses." This guidance is available on the NRC Web site at: <https://www.nrc.gov/docs/ML1925/ML19256C219.pdf>

Upon review of your application, I identified the following areas requiring additional or clarifying information:

1. Section 8.7.1, "Radiation Safety Officer," of the guidance includes a listing of typical duties and responsibilities of the appointed Radiation Safety Officer (RSO).

Among the listing of the typical duties and responsibilities of the RSO is interacting with the U.S. NRC. To facilitate such interactions, please provide applicable contact information for the appointed RSO, including all of the following as applicable:

- office phone number;
- mobile phone number;
- fax number; and
- e-mail address

Note that following the declaration of the COVID-19 Public Health Emergency, the U.S. NRC has been primarily corresponding and furnishing documentation to licensees through email correspondence. Therefore, the provision of an e-mail address is helpful in ensuring timely communications from the agency.

2. Section 8.9.2., "Radiation Monitoring Instruments," of the guidance, identifies that your application must describe the radiation detection instruments available for measuring radiation levels, radioactive contamination, and radioactivity, as applicable.

Your application identified that you currently possess the following radiation detection instruments:

- Capintec CRC 15R Dose Calibrator;
- Ludlum Model 14C Survey Meter with a Model 44-6 Side Window Probe; and
- Ludlum Model 14C Survey Meter with a Model 44-7 End Window Probe.

Clarify if the facility is also equipped with a Well Counter for detecting radioactive contamination on removable contamination wipes at your facility.

If applicable, please identify the manufacturer and model number of the Well Counter available at the facility as applicable.

3. Section 8.10.14, "Safe Use of Unsealed Licensed Material," of the guidance, identifies that licensees are responsible for developing, documenting, and implementing procedures to ensure the security and safe use of all licensed material, from the time it arrives at their facilities until it is used, transferred, and disposed of.

Your application included the following statement: "We have developed and will implement and maintain written procedures for safe use of unsealed byproduct material that meet the requirements of 10 CFR §20.1501 and 10 CFR §35.70."

This is not an acceptable response as the regulatory references vary from that specified in the guidance. The correct regulatory references are 10 CFR §20.1101, "Radiation protection programs," and 10 CFR §20.1201, "Occupational dose limits for adults."

Please revise your commitment to match that suggested in the guidance, which should include the statement: "We have developed and will implement and maintain procedures for safe use of unsealed byproduct material that meet the requirements of 10 CFR 20.1101 and 10 CFR 20.1201."

In accordance with 10 CFR §2.390 of the NRC's "Rules of Practice," a copy of this letter 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>.

To continue review of your application, I request that you submit your response to this letter within 30 calendar days from the date of this letter. In your response, please refer to the license, docket, and control number specified below. I will assume that you do not wish to further pursue this licensing action if I do not receive a reply within the specified timeframe noted above.

If you have questions, require additional time to respond, or require clarification on any of the information stated above, I encourage you to contact me at Jason.Kelly@nrc.gov or at (630) 829-9737.

Sincerely,

Jason M. Kelly, MPH
Health Physicist
Materials Licensing Branch

Docket No.: 030-34417
License No.: 21-26792-01
Control No.: 631431