

From: [Tran, Frank](#)
To: [William Peters](#)
Subject: Request additional information for NRC License No. 21-35144-02
Date: Wednesday, July 20, 2022 2:29:00 PM

Dear Dr. Peters:

We have reviewed the amendment requests dated June 7, 2022 and June 29, 2022 for NRC Materials License No. 21-35144-02 for Niowave, Inc. We will need the following information.

1. A confirmation that all records discussed in Tittle 10 of the *Code of Federal Regulations* (10 CFR) 40.61(e) and 40.36(f), and records required by 10 CFR 19.13, 20.2103, 20.2106, 20.2107, and 20.2108 have been transferred from the NRC Materials License No. 21-35145-01 issued to Niowave, Inc. to its NRC Materials License No. 21-35144-02.
2. Niowave, Inc. requests an update to Section 10.8, "Surveys" in its application to align with the guidance in NUREG-1556, Volume 21, Revision1, "Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Possession Licenses for Production of Radioactive Materials Using an Accelerator". The section discussed the radiation survey in your license application dated February 11, 2015, was Section 10.7, "Survey and Leak Tests". We determined that the commitment which you proposed does not follow the guidance in NUREG-1556, Volume 21, Revision1 and is not comparable. Please provide the following statement: "We will survey our facility and maintain contamination levels in accordance with the radiation survey frequencies and contamination levels published in Appendix J of NUREG–1556, Vol. 21, "Consolidated Guidance About Material Licenses: Program-Specific Guidance About Possession Licenses for Production of Radioactive Materials Using an Accelerator." Alternatively, you could provide an equivalent response (i.e., procedures) that is more specific to your radiation safety program.

To continue the review of your application, we request that you submit your response under a dated and signed cover letter by August 19, 2022. In the cover letter, please refer the license number, docket number and Mail Control No. 631552. We will assume that you do not wish to further pursue this licensing action if we 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, 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>.

Best regards,

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

