



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

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

February 2, 2023

Mark Sitek, M.S., CHP
Radiation Safety Officer
BAMF Health, Inc.
109 Michigan St. NW
Ste. 110
Grand Rapids, MI 49503

Dear Mark Sitek:

Enclosed is Amendment No. 2 to your NRC Material License No. 21-35632-03MD in accordance with your requests dated November 29, 2022 and January 17, 2023.

Title 10 Code of Federal Regulations (10 CFR) Section 30.35(a)(1) requires that each applicant for a specific license authorizing possession and use of unsealed byproduct material of half-life greater than 120 days and in quantities exceeding 10^5 the applicable quantities described in 10 CFR Part 30 Appendix B submit a decommissioning funding plan that meets the criteria described in 10 CFR 30.35(e).

Licensed activities currently permitted at your 109 Michigan St. NW, Grand Rapids, MI 49503 facility under NRC License Nos. 21-35632-03MD and 21-35632-01 authorize possession of material that exceeds the quantities allowed in 10 CFR 30.35(a)(1). Currently, the NRC is reviewing a financial instrument that was submitted for this facility under Control No. 627000, but a decommissioning funding plan is still required in accordance with 10 CFR 30.35(a)(1) and the 10 CFR 35.1000 licensing guidance "Germanium-68/Gallium-68 Pharmaceutical Grade Generators" as an exemption from providing a Decommissioning Funding Plan that accounts for these generators has not been requested.

Please provide a decommissioning funding plan in accordance with 10 CFR 30.35(a)(1) that meets the criteria of 10 CFR 30.35(e) for NRC License Nos. 21-35632-03MD and 21-35632-01 within 90 days of receipt of this letter.

Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region III office at (630) 829-9887 so that we can provide appropriate corrections and answers.

You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you. This could include issuance of a notice of violation, or imposition of a civil penalty, or an order suspending, modifying or revoking your license as specified in the General Statement of Policy

and Procedure for NRC Enforcement Actions. Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken when dealing with licensees who do not achieve the necessary meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency's *expectations* for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html>. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

In accordance with Title 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be 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 <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

Laura B. Cender
Health Physicist
Materials Licensing Branch
Division of Radiological Safety and Security

License No. 21-35632-03MD
Docket No. 030-39300

Enclosure: Amendment No. 2