



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD – SUITE 102
KING OF PRUSSIA, PA 19406-1415

January 8, 2024

Bharat G. Patel, M.D., Radiation Safety Officer
West Virginia Appalachian Regional Healthcare, Inc.
dba Beckley Appalachian Regional Hospital
306 Stanaford Road,
Beckley, WV 25801

SUBJECT: WEST VIRGINIA APPALACHIAN REGIONAL HEALTHCARE, INC., REQUEST
FOR ADDITIONAL INFORMATION, MAIL CONTROL NO. 638207

Dear Dr. Patel:

This is in reference to the letter dated October 25, 2023, requesting to amend NRC License No. 47-17725-02. Several items below reference NUREG-1556, Volume 9, Revision 3, which can be found online at: <https://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/v9/index.html>. In order to continue our review, we need the following additional information:

1. In the future, please identify a point-of-contact (name, title, phone/email information) to address questions or concerns related to your correspondence with the NRC. This is often, but not always, the Radiation Safety Officer for the NRC license. You will find this information requested in the NRC's Form 313 (a copy of which can be found as Appendix B of NUREG-1556, Volume 9, Revision 3), Item 4, to which your letter should, to the extent possible and as applicable to your request, adhere to or provide substantively equivalent information. No response is required for this item.
2. Please identify the name of the COO signing your October 25, 2023, letter. Previously, letters or applications related to the NRC were signed by Rocco K. Massey, Chief Executive Officer, and, temporarily in Mr. Massey's absence, Ms. J.B. Bowen. If the signing COO will be representing your facility to the NRC, please provide a complete name and contact information (phone and email address).
3. Your letter requested a new Radiation Safety Officer (RSO) who appears on a State of Kentucky license. Consistent with NUREG-1556, Volume 9, Revision 3:
 - a. Please clarify whether the current RSO, Bharat G. Patel, M.D., should be **removed** or **retained** on the NRC license as an Authorized User under License Condition 12.B. As a reminder, 10 CFR 35.14(b)(1) requires, in part, a notification to the NRC within 30 days following an Authorized User permanently discontinuing the performance of their duties under the license.
 - b. It is unclear whether the proposed RSO, Travis Painter, M.S., DABR, is a consultant or contractor RSO. Please clearly communicate whether Travis Painter, M.S., DABR, is a consultant or contractor RSO on either or both the supplied State of Kentucky license and as-proposed under your own license.

- c. Please provide complete contact information for Travis Painter, M.S., DABR, including a phone and email address. Note: if either phone or email are personal and not related to business purposes (e.g. a personal cell phone), please so note for the NRC to take appropriate precautions to protect this information.
- d. If Travis Painter, M.S., DABR, will function as a consultant or contractor RSO under your license, please supply the following, consistent with NUREG-1556, Volume 9, Revision 3, Section 8.7.1:
 - i. 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).
 - ii. Identify an in-house representative who will serve as the point of contact during the RSO's absence (name, title, contact information).
 - iii. Describe the overall availability of the consultant or contractor-RSO to respond to questions or operational issues that arise during the conduct of the radiation safety program and related regulatory requirements.
 - iv. Specify the maximum amount of time it will take the consultant or contractor-RSO to arrive at the facility, in the event of an emergency that requires his or her presence.

Note: please provide the information in Item 3(d)(iv) regardless of Travis Painter's consultancy/contractor status, as it is noted that Whitesburg ARH Hospital, the State of Kentucky licensee used for equivalency and on which Travis Painter is listed as the RSO, is approximately 180 miles from your facility.

We will continue our review upon receipt of this information. Please reply to my attention at:

R1DRSSMail.Resource@nrc.gov

Reference – Jason vonEhr

Mail Control No. 638207

In order to continue prompt review of your application, we request that you submit your response to this letter within 15 calendar days from the date of this letter.

An electronic version of the NRC's regulations is available on the NRC Web Site at: www.nrc.gov. Additional information regarding medical uses of radioactive materials may be obtained on the NRC Web Site at: <http://www.nrc.gov/materials/miau/med-use-toolkit.html>. This site also provides the updated Training and Experience NRC Form 313A series of forms and guidance, as well as information on the revised regulations for naturally-occurring and accelerator-produced radioactive materials (NARM).

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web Site at: <http://www.nrc.gov/reading-rm/adams.html>. Please be aware that you may request that certain portions of your submittal to NRC be withheld from public disclosure as proprietary information. To do this, you must execute an affidavit as specified in 10 CFR 2.390. You must list all portions that you wish to be held proprietary, along with your reasoning as to why that is appropriate. While it is allowable, please refrain from submitting proprietary information in support of a license unless necessary. Keep in mind that all NRC licenses are considered to be in the public domain, and therefore may be viewed by any member of the public who requests to see them.

If you have any questions regarding this request for additional information, please contact me at (610) 337-5256 or via electronic mail at Jason.vonEhr@nrc.gov.

Thank you for your cooperation.

Sincerely,

Jason vonEhr, Senior Health Physicist
Medical and Licensing Assistance Branch
Division of Radiological Safety and Security
Region I

License No. 47-17725-02
Docket No. 030-29017
Mail Control No. 638207

cc: Michelle Jude, Acting Director of Diagnostic Radiology

WEST VIRGINIA APPALACHIAN REGIONAL HEALTHCARE, INC., REQUEST FOR
ADDITIONAL INFORMATION, MAIL CONTROL NO. 638207 DATED JANUARY 8, 2024

DOCUMENT NAME: G:\WBL Documents\WBL License RAI\L47-17725-02.638207.RAI.docx

SUNSI Review Complete: JEV

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OFFICE	RI:DRSS	N					
NAME	Jason vonEhr						
DATE	01/08/2024						

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