



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

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

July 26, 2024

Larry Kestin, M.D., DABR  
Medical Director and RSO  
American Oncologic Associates of Michigan, P.C.  
70 Fulton St.  
Pontiac, MI 48341

SUBJECT: RENEWAL OF RADIOACTIVE MATERIALS LICENSE FOR AMERICAN  
ONCOLOGIC ASSOCIATES OF MICHIGAN, P.C., U.S. NRC MATERIALS  
LICENSE NO. 21-26488-01

Dear Dr. Kestin:

Enclosed is Amendment No. 43 renewing your U.S. Nuclear Regulatory Commission (NRC) Materials License No. 21-26488-01, in accordance with the application dated January 30, 2024, signed by Teamour (Tim) Nurushev, Ph.D., Deputy RSO, and your letters dated June 13, 2024 and July 15, 2024

As referenced in my letter dated April 18, 2024, [Title 10 of the Code of Federal Regulations \(10 CFR\) 30.32\(i\)](#) and [10 CFR §30.35](#) identify the applicable requirements for provision of financial assurance and submission of an emergency plan. Note that Conditions 13 and 14 of your license restrict possession of licensed materials to quantities below the minimum limit specified in regulation requiring decommissioning financial assurance or consideration for an emergency plan for responding to a release of licensed material.

An environmental assessment for this action was not required, since this action is categorically excluded under [10 CFR §51.22\(c\)\(14\)](#).

Please be advised that your license expires at the end of the day in the month and year stated in the license. Until your license has been terminated, you must conduct your program in accordance with the conditions of your license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate in accordance with NRC regulations [10 CFR Part 19, "Notices, Instructions and Reports to Workers: Inspections and Investigations,"](#) [10 CFR Part 20, "Standards for Protection Against Radiation,"](#) [10 CFR Part 30, "Rules of General Applicability to Domestic Licensing of Byproduct Material,"](#) [10 CFR Part 35, "Medical Use of Byproduct Material,"](#) and other appropriate regulations.
2. Notify NRC in writing 30 days in advanced of any change in mailing address.

The enclosed document contains sensitive security-related information.  
When separated from this cover letter this letter is uncontrolled.

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3. In accordance with [10 CFR §30.36\(d\)](#), notify the U.S. NRC promptly, in writing, within 60 days and request termination of the license:
  - a. When you decide to terminate all activities involving materials authorized under the license whether at the entire site or any separate building or outdoor area;
  - b. If you decide not to acquire or possess and use authorized material; or
  - c. When no principal activities under the license have been conducted for a period of 24 months.
4. In accordance with [10 CFR §35.14](#), notify the U.S. NRC no later than 30 days after:
  - a. The date that the licensee permits an individual to work as an authorized user, an authorized nuclear pharmacist, or an authorized medical physicist under [10 CFR §35.13\(b\)\(1\) through 35.13\(b\)\(4\)](#);
  - b. An authorized user, an authorized nuclear pharmacist, a Radiation Safety Officer, or an authorized medical physicist permanently discontinues duties under the license or has a name change;
  - c. The licensee's name changes but the name change does not constitute a transfer of control of the license as described in [10 CFR §30.34\(b\)](#); or
  - d. The licensee has added to or changed the areas of use identified in the application or on the license where byproduct material is used in accordance with either [10 CFR §35.100](#) or [§35.200](#).
5. Request and obtain a license amendment before you:
  - a. Change Radiation Safety Officers;
  - b. Order byproduct material in excess of the amount, or radionuclide, or form different than authorized on the license;
  - c. Add or change the areas of use or address or addresses of use identified in the license application or on the license (except for areas of use where byproduct material is used only in accordance with either [10 CFR §35.100](#) or [§35.200](#)) or
  - d. Change the name or ownership of your organization.
6. Submit a complete renewal application or termination request at least 30 days before the expiration date of your license. You will receive a reminder notice approximately 60 days before the expiration date. Possession of byproduct material after your license expires is a violation of NRC regulations.

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When submitting future license amendments, please have the document signed by a management representative rather than the Radiation Safety Officer. The NRC views a letter signed by a management representative as indication that management has reviewed the application and concurs in the statements and representations contained therein. In addition, please note that NRC Form 313 requires the applicant, by signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of the applicant's knowledge. The signatory for the application should be the licensee or a certifying official of the licensee rather than a consultant.

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 NRC Enforcement Policy. The NRC Enforcement Policy is available at: <http://www.nrc.gov/reading-rm/doc-collections/enforcement/>.

An electronic version of the NRC's regulations is available on the NRC Web Site at: [www.nrc.gov](http://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).

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/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.

Please be aware that, as a holder of a U.S. NRC license, you may be subject to the U.S. NRC's licensing and inspection fees in accordance with [10 CFR Part 170](#), and annual fees in accordance with [10 CFR Part 171](#). If you have any questions concerning the fee requirements, please contact the License Fee and Accounts Receivable Branch at (301) 415-7544.

NRC's Regulatory Issue Summary (RIS) 2005-31 provides criteria to identify security-related sensitive information and guidance for handling and marking of such documents. This ensures that potentially sensitive information is not made publicly available through ADAMS, the NRC's electronic document system. Pursuant to NRC's RIS 2005-31, and in accordance with 10 CFR 2.390, this letter and the enclosed license document are exempt from public disclosure because their disclosure to unauthorized individuals could present a security vulnerability. The RIS may be located on the NRC Web Site at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2005/ri200531.pdf> and the link for frequently asked questions regarding

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protection of security-related sensitive information may be located at:  
<http://www.nrc.gov/reading-rm/sensitive-info/faq.html>.

A copy of this letter will be available electronically for public inspection in the U.S. NRC Public Document Room or from the U.S. NRC's ADAMS, accessible from the U.S. NRC Web site at <https://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

Jason M. Kelly, MPH, CPH  
Health Physicist  
Materials Licensing Branch

License No.: 21-26488-01  
Docket No.: 030-33134

Enclosure: Amendment No. 43 to U.S. NRC Materials License No. 21-26488-01