



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

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

August 13, 2024

Wilson Padilla  
Radiation Safety Officer  
Alfred Benesch & Company  
4660 S. Hagadorn Rd., Ste. 315  
East Lansing, MI 48823

Dear Mr. Padilla:

This letter is regarding your request dated July 18, 2024, to amend your U.S. Nuclear Regulatory Commission (NRC) Materials License No. 21-35013-01.

The U.S. NRC's guidance document for your type of license, which I refer to below as "the guidance," is NUREG-1556, Volume 1, Rev. 2, dated June 2016, "Consolidated Guidance About Materials Licenses, Program – Specific Guidance About Portable Gauge Licenses." This guidance is available on the U.S. NRC website at:

<https://www.nrc.gov/docs/ML1617/ML16175A375.pdf>

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

1. Section 8.9, "Facilities and Equipment," of the guidance identifies that applicants must provide a facility diagram for each permanent portable gauge storage location, providing all information relevant to public dose and security as discussed in Sections 8.10.5, "Public Dose," and Section 8.10.6, "Operating, Emergency, and Security Procedures."

Please resubmit your facility diagram depicting all adjacent areas to your facility (parking lot, neighboring buildings, streets, etc.). If your facility is a multistory and/or multitenant building, identify all floors and their uses, including areas occupied by other tenants. If your portable gauging devices are stored in a cabinet or similar container, submit a diagram and description of the container.

As depicted in Figure 8-4, "Storing Gauges," of Section 8.10.5 of the guidance, gauges should be stored away from occupied areas. Further, [Title 10 of the Code of Federal Regulations \(10 CFR\) §30.34\(i\)](#) requires that portable gauges must be secured against unauthorized removal using a minimum of two independent physical controls that form tangible barriers.

2. Section 8.10.5, "Public Dose," of the guidance, indicates that licensees must conduct licensed operations so that radiation doses to members of the public (MOP) do not exceed 100 millirem in a year and to maintain doses in unrestricted areas below 2 millirem in any one hour

If, after making an initial evaluation, a licensee makes changes affecting the storage area (e.g., changing the location of gauges within the storage area, removing shielding, adding gauges, changing the occupancy of adjacent areas, moving the storage area to a new location), then the licensee must ensure that gauges are properly secured, perform a new evaluation to ensure that the public dose limits are not exceeded, and take corrective action, as needed.

As this item is only advisory, no response is needed to address this item. Maintain your updated individual members of the public dose compliance study on file for inspection. For additional information and guidance, you may refer to Part 2, "Guidance for Demonstrating that Individual Members of the Public Will Not Receive Doses Exceeding the Allowable Limits," of Appendix H from the guidance.

3. Section 8.11, "Termination of Activities," of the guidance, describes the information needed to demonstrate that a former storage area is suitable for release to unrestricted use (e.g., results of leak tests of sealed sources).

Prior to releasing the former storage area to unrestricted use, confirm that you will provide leak test records for all portable gauging devices previously stored at the former storage area for review.

4. Section 8.13, "Item 13: Certification," specifies that a representative of the legal entity filing the request must sign the amendment request. The representative signing the application must be authorized to make binding commitments and to sign official documents on behalf of the applicant (i.e., a certifying official).

You signed the submitted amendment request. Though, your title is not recognized as that of a certifying official (i.e., President, Director or Branch Manager).

Therefore, please revise and submit the amendment request bearing the signature of a certifying official. For additional information, you may refer to Chapter 3, "Management Responsibility," of the guidance.

In accordance with [10 CFR §2.390](#) of the U.S. NRC's "Rules of Practice," a copy of this letter will be made available electronically for public inspection in the U.S. NRC Public Document Room or from the U.S. NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the U.S. NRC website at <https://www.nrc.gov/reading-rm/adams.html>.

To continue review of your request, please submit your response to this letter within 15 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 (630) 829-9737 or via e-mail at [Jason.Kelly@nrc.gov](mailto:Jason.Kelly@nrc.gov).

Sincerely,

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

Docket No.: 030-38583  
License No.: 21-35013-01  
Control No.: 641910