

SOUTH PITTSBURGH CANCER CENTER
Antonio J. Ambrad, M.D., Medical Director

September 6, 2001

F. Congel
Director, Office of Enforcement
U.S. Nuclear Regulatory Commission
One White Flint North
11555 Rockville Pike
Rockville, MD 20852-2738

“REPLY TO A NOTICE OF VIOLATION”

Dear Mr. Congel,

This is in response to the Notice of Violation, which was sent to South Pittsburgh Cancer Center (SPCC) on August 22, 2001. First of all, I want you to make a correction in your notice. South Pittsburgh Cancer Center (SPCC), as such, has no involvement in acquiring or disposal of Depleted Uranium (DU). The SPCC is a radiation oncology facility for the treatment of cancer patients. The DU was stored in a store room in the same building, which has a different street address from SPCC. The street address of the storage room is 5090 Old Clairton Boulevard, Pittsburgh, PA 15236. The street address of SPCC is 4941 Clairton Blvd., Pittsburgh, PA 15236. The DU was never brought to SPCC. In view of this, your repeated reference to SPCC in your correspondence is incorrect and it is requested that you please make a correction in all your correspondence and in all public documents by issuing an erratum. This was a personal matter on my behalf to buy the accelerators and not as an RSO and/or owner of SPCC. I am, however, responding to the “Notice of Violation” on behalf of SPCC as follows:

(1) Admission or Denial of Alleged Violation

It was an honest mistake. I had no ill intention of creating any hazard to any member of the public. It makes me very uncomfortable to even think that any suggestion to this effect is implied.

(2) The Reason for the Violation if Admitted, and if denied, the Reasons Why

I found myself in possession of DU contained in accelerators, which I have purchased for sending them abroad, not for business. After being unsuccessful in sending the accelerators abroad, I decided to dispose the

accelerators. At that time in 1998, I became aware that accelerators contained DU. I admit that I was lax in not disposing the DU after that time promptly. In October, 2000, when I was cleaning the store room, the scrap metal hauler was told to take away all metal components from the room. One of the items happened to be the accelerator collimator, which I thought was in a different place.

(3) The Corrective Steps that have been taken and the Results Achieved

Before I will buy a high energy accelerator, I would require from the selling agent a written statement that the accelerator contains no radioactive source. Besides, I will also inquire from the manufacturer of the accelerator that there is no radioactive source in the accelerator. I will also consult with my medical physicist if this accelerator may contain radioactive source.

(4) The corrective Steps that will be Taken to avoid further violations

Please see answer to Item No. 2 above.

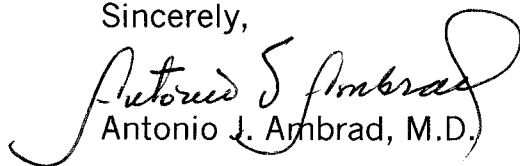
(5) The Date When Full Compliance will be Achieved

The full compliance was already achieved as of January 1, 2001.

I have sent a cashier's check in the amount of \$8,800.00 towards the civil penalty to US NRC, License Fee and Accounts Receivable Branch, P.O.Box 954514, St. Louis, MO 63195-4514 according to the instructions in NUREG/BR-0254, Rev.1.

However, I hope you would consider to either eliminate the civil penalty altogether or at least reduce it to the base value of \$4,400.00. Again, I want to assure you that whatever happened was an honest mistake and it will never happen again.

Sincerely,


Antonio J. Ambrad, M.D.

COPY: Regional Administrator, Region I, 475 Allendale Road
King of Prussia, PA 19406