

METROPOLITAN CARDIOLOGY CONSULTANTS

August 16<sup>th</sup>, 2004

USNRC Region III  
Materials Licensing Section  
2443 Warrenville Road  
Suite 210  
Lisle, IL 60532-4352

License Number: 22-32445-01

Dear Sir or Madam:

Pursuant to the requirements in 10 CFR 35.13 (c), Metropolitan Cardiology Consultants (MCC) is requesting that our license for materials use at Buffalo Hospital be amended to change the radiation safety officer (RSO).

The new RSO will be Derek Brent Simons, MD. Dr. Simons is currently an authorized user on our license for all uses allowed by the license. A copy of our license, along with a copy of the RSO agreement letter signed by Dr. Simons and MCC management, is enclosed. Dr. Evans will continue to fulfill his responsibilities as RSO until this amendment has been granted.

If you have any questions regarding this communication, please contact Mike Rasmussen at (763) 236-9144. We appreciate your assistance in making this change.

Sincerely,



Mark Evans, MD, President  
Metropolitan Cardiology Consultants

CC: Mike Rasmussen, Mark Evans, MD, D. Brent Simons, MD

Attachments: MCC License, RSO Agreement Letter

August 16<sup>th</sup>, 2004

**MEMORANDUM**

TO: Derek Brent Simons, MD  
FROM: Mark Evans, MD, President  
SUBJECT: Radiation Safety Officer

The management of Metropolitan Cardiology Consultants has appointed Derek Brent Simons, MD to be the Radiation Safety Officer (RSO) for use of licensed radioactive materials at the Buffalo Hospital site pursuant to 10 CFR 24(b). The RSO is responsible for implementing the radiation protection program and shall ensure that radiation safety activities are being performed in accordance with management-approved procedures and regulatory requirements. A list of duties and responsibilities of the RSO is attached to this memo pursuant to 10 CFR 24(e).

The RSO is to have sufficient authority, organizational freedom, time, resources, and management prerogative, to:

- Identify radiation safety problems;
- Initiate, recommend, or provide corrective actions;
- Stop unsafe operations; and,
- Verify implementation of corrective actions,

as required by 10 CFR 24(g).

  
\_\_\_\_\_  
Dr. Mark Evans, President, R.S.O.

8-14-04  
\_\_\_\_\_  
Date

I hereby accept the above responsibilities.

  
\_\_\_\_\_  
Derek Brent Simon, MD

8/31/04  
\_\_\_\_\_  
Date

**This document is to be retained for the duration of the license per 10CFR35.2024(b).**

## **RSO Duties and Responsibilities**

- Activities involving licensed material that the RSO considers unsafe are stopped;
- Radiation exposures are ALARA;
- Up-to-date radiation protection procedures in the daily operation of the licensee's byproduct material program are developed, distributed, and implemented;
- Possession, use, and storage of licensed material is consistent with the limitations in the license, the regulations, the SSDR Certificate(s), and the manufacturer's recommendations and instructions;
- Individuals installing, relocating, maintaining, adjusting, or repairing devices containing sealed sources are trained and authorized by an NRC or Agreement State license;
- Personnel training is conducted and is commensurate with the individual's duties regarding licensed material;
- Documentation is maintained to demonstrate that individuals are not likely to receive, in one year, a radiation dose in excess of 10% of the allowable limits or that personnel monitoring devices are provided;
- When necessary, personnel monitoring devices are used and exchanged at the proper intervals, and records of the results of such monitoring are maintained;
- Licensed material is properly secured;
- Documentation is maintained to demonstrate, by measurement or calculation, that the total effective dose equivalent to the individual likely to receive the highest dose from the licensed operation does not exceed the annual limit for members of the public;
- Proper authorities are notified of incidents such as loss or theft of licensed material, damage to or malfunction of sealed sources, and fire;
- Medical events and precursor events are investigated and reported to NRC, and cause(s) and appropriate corrective action(s) are identified, and timely corrective action(s) are taken;
- Audits of the radiation protection program are performed at least annually and documented;
- If violations of regulations, license conditions, or program weaknesses are identified, effective corrective actions are developed, implemented, and documented;
- Licensed material is transported, or offered for transport, in accordance with all applicable DOT requirements;
- Licensed material is disposed of properly;
- Appropriate records are maintained; and
- An up-to-date license is maintained and amendment and renewal requests are submitted in a timely manner.

MATERIALS LICENSE

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 36, 39, 40, and in reliance on statements and representations made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to source or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license will be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

Licensee

- 1. Metropolitan Cardiology Consultants  
The Heart Center
- 2. Suite 120  
4040 Coon Rapids Blvd  
Coon Rapids, MN 55433

3. License number 22-32445-01

4. Expiration date February 28, 2013

Docket No. 030-36224  
Reference No.

6. Byproduct, source, and/or special nuclear material

7. Chemical and/or physical form

8. Maximum amount that licensee may possess at any one time under this license

A. Any byproduct material permitted by 10 CFR 35.100

A. Any

A. As needed

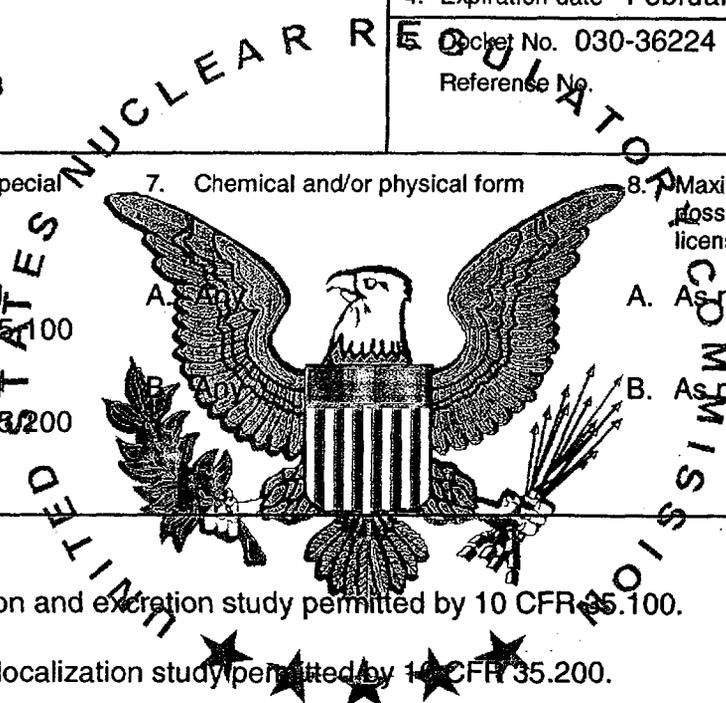
B. Any byproduct material permitted by 10 CFR 35.200 excluding xenon-133

B. Any

B. As needed

9. Authorized use:

- A. Any uptake, dilution and excretion study permitted by 10 CFR 35.100.
- B. Any imaging and localization study permitted by 10 CFR 35.200.



CONDITIONS

- 10. Licensed material may be used or stored only at the licensee's facilities located at Buffalo Hospital, 303 Catlin Street, Buffalo, Minnesota.
- 11. The Radiation Safety Officer for this license is Mark A. Evans, M.D.
- 12. Licensed material is only authorized for use by, or under the supervision of:
  - A. Individuals permitted to work as an authorized user in accordance with 10 CFR 35.13 and 35.14.

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**

License Number  
22-32445-01

Docket or Reference Number  
030-36224

B. The following individuals are authorized users for medical use as indicated:

<u>Authorized Users</u>	<u>Material and Use</u>
Mark A. Evans, M.D.	35.100 and 35.200
Sajad H. Mir, M.D.	35.100 and 35.200
Derek Brent Simons, M.D.	35.100 and 35.200
John M. (Jay) Faust, M.D.	35.100 and 35.200
Geoffrey R. Bodeau, M.D.	35.100 and 35.200
Markham J. Fischer, M.D.	35.100 and 35.200
Kurt Scheurer, M.D.	35.100 and 35.200
Fredrick C. Gramith, M.D.	35.100 and 35.200
Timothy J. Koelz, M.D.	35.100 and 35.200
Fredrick R. Olson, M.D.	35.100 and 35.200
Steven A. Sirr, M.D.	35.100 and 35.200
K. Preimsberger, M.D.	35.100 and 35.200
Thomas Ibach, M.D.	35.100 and 35.200
Lynn Hassan, M.D.	35.100 and 35.200
John Nobrega, M.D.	35.100 and 35.200
Paul R. Rust, M.D.	35.100 and 35.200



13. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of licensed material to quantities below the minimum limit specified in 10 CFR 30.35(d) for establishing decommissioning financial assurance.
14. The licensee is authorized to transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**

License Number  
22-32445-01

Docket or Reference Number  
030-36224

15. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. This license condition applies only to those procedures that are required to be submitted in accordance with the regulations. Additionally, this license condition does not limit the licensee's ability to make changes to the radiation protection program as provided for in 10 CFR 35.26. The U.S. Nuclear Regulatory Commission's regulations shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the regulations.

A. Application dated January 24, 2003



FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date

FEB 25 2003

By

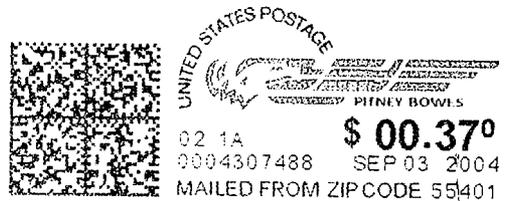
*Toye L. Simmons*

Toye L. Simmons  
Materials Licensing Branch  
Region III

METROPOLITAN CARDIOLOGY CONSULTANTS

The Heart Center • 4040 Coon Rapids Boulevard Suite 120 • Minneapolis MN 55433

USNRC Region III  
Materials Licensing Section  
2443 Warrenville Road  
Suite 210  
Lisle, IL 60532-4352



60532#4352



BETWEEN:  
License Fee Management Branch, ARM  
and  
Regional Licensing Sections

(FOR LFMS USE)  
INFORMATION FROM LTS  
-----

: Program Code: 02201  
: Status Code: 0  
: Fee Category: 7C  
: Exp. Date: 20130228  
: Fee Comments: \_\_\_\_\_  
: Decom Fin Assur Reqd: N  
:.....

LICENSE FEE TRANSMITTAL

A. REGION

1. APPLICATION ATTACHED  
Applicant/Licensee: METROPOLITAN CARDIOLOGY CONSULTANTS  
Received Date: 20040908  
Docket No: 3036224  
Control No.: 313709  
License No.: 22-32445-01  
Action Type: Amendment

2. FEE ATTACHED  
Amount: \_\_\_\_\_  
Check No.: Ø

3. COMMENTS

Signed D. A. Hersey  
Date 9-27-2004

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered /\_/)

1. Fee Category and Amount: \_\_\_\_\_

2. Correct Fee Paid. Application may be processed for:  
Amendment \_\_\_\_\_  
Renewal \_\_\_\_\_  
License \_\_\_\_\_

3. OTHER \_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_  
Date \_\_\_\_\_