

**From:** Shirley Xu  
**To:** James Dwyer; Joseph Nick  
**Date:** Thu, Jul 8, 2004 3:47 PM  
**Subject:** Phone conversation with Varian regarding Atlantic DU disposal

Two documents was received from Atlantic Health System(Overlook Hospital) on July 6th, 2004.

One is a sale proposal sent to Overlook Hospital by Varian on November 9, 1990. In the letter, Varian had an intention to take their existing Clinac 4 as trade-in when purchasing Clinac 2100C.

The second document was a short letter sent to Overlook Hospital on August 31, 1993 from Varian district sales manager. On the letter, it says that ".....This letter confirms our mutual understanding that Varian has taken in trade the equipment listed in the contract and that out of the goodness of Varian's corporate heart, we agree to extend an additional credit to Overlook Hospital of \$50,000 towards the purchase of additional equipment.....".

After receiving these two documents, I talked to James Donlan (RSO of Overlook Hospital). He stated that he would like to withdraw the "Machine Disposition Form" that was sent to NJ-EPA in 1993, the form stated that the machine was removed by Precision Diagnostics and Therapy in Tulsa, Oklahoma from Overlook Hospital.

To verify if Varian has indeed taken the machine, I contacted their corporate RSO, Varti Vartanian. She referred me to talk to Robert Gerber, who is in charge of re-manufacturing and disposal of old machine at Varian's Chicago location. According to MS. Vartanian, any old machine taken in by Varian would go to Chicago location.

Mr. Gerber has been working there before 1990. He checked their disposal records and could not find anything that indicating Varian has taken possession of the machine. Only record he could find about this Clinac4 was service termination notice on this machine for Overlook Hospital dated 1995. He stated that they have established a comprehensive record system for old machine disposal in 1992, they have pretty complete records of all disposals since that time. From his best knowledge, he does not believe Varian has physically taken the machine from Overlook Hospital. At the end of the conversation, he agree to check with their sales division to see if there is any record about this machine around that time.

Shirley

>>> Joseph Nick 07/07/04 07:17AM >>>  
Jim,

Thanks for the update. I understand that Overlook Hospital is off the hook. I also understand that Varian is authorized to disassemble the linac. But, why is Varian authorized to transfer the linac and DU to a non-licensed facility?

Joe

**CC:** Pamela Henderson; Sandra Gabriel; Steven Courtemanche