



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

September 23, 2005

Docket No. 03035310
Control No. 137484

License No. 37-30553-01

James A. Patton, M.D.
President
Comprehensive Cancer Care
470 John Young Way - Suite 400
Exton, PA 19341

SUBJECT: COMPREHENSIVE CANCER CARE, REQUEST FOR ADDITIONAL
INFORMATION CONCERNING APPLICATION FOR AMENDMENT TO
LICENSE, CONTROL NO. 137484

Dear Dr. Patton:

This is in reference to your letter dated August 8, 2005 requesting to amend Nuclear Regulatory Commission License No. 37-30553-01. In order to continue our review, we need the following additional information:

1. Please confirm that only authorized users, authorized physicists, and therapists who receive the operational training on the unit will be performing daily spot-checks and operating the device. Alternatively, you may provide a more concise definition of "proposed users" and "ancillary personnel" who may perform daily spot-checks and/or operate the device. Please note that if "ancillary personnel" includes individuals other than therapists, initial and annual training in Item IV.D. must be provided to those individuals. Additionally, please note that 10 CFR 35.610 (e) requires that operators, authorized medical physicists, and authorized users participate in drills of the emergency procedures, initially and at least annually.
2. 10 CFR 35.12(c)(2) states, in part, that a request for an amendment must be made by submitting procedures required by Sections 35.610 and 35.643, which apply to high dose rate afterloaders. Since you are revising your spot-check and emergency procedures, in part, and the regulatory requirements for these procedures have changed with the revision of the regulations, please re-submit your detailed spot-check and emergency response procedures with your response to this letter. Please note that records of periodic spot-checks are required to be retained in accordance with 10 CFR 35.2643, which requires, in part, the name of the individual who performed the periodic spot-check.

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, industrial, and academic uses of nuclear material**; then **toolkit index page**. Or you may obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 9:00 p.m. EST, Monday through Friday (except Federal holidays).

J. Patton
Comprehensive Cancer Care

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We will continue our review upon receipt of this information. Please reply to my attention at the Region I Office and refer to Mail Control No. 137484. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5169.

If we do not receive a reply from you within 30 calendar days from the date of this letter, we will assume that you do not wish to pursue your application.

Sincerely,

Original signed by Penny Lanzisera

Penny Lanzisera
Senior Health Physicist
Medical Branch
Division of Nuclear Materials Safety

cc:
Gregory J. Ochsner, M.D., Radiation Safety Officer

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