

December 2, 2005



MONTGOMERY HOSPITAL
www.montgomeryhospital.com

U.S. Nuclear Regulatory Commission
Document Control Desk
Washington, DC 20555

Re: Reply to Notice of Violation

Dear Sir or Madam:

The requirements of 10 CFR 40.51(b)(5) authorizes transfer of devices or products containing depleted uranium only to persons authorized to receive such source or byproduct material under the terms of a general or specific license.

During the week of May 15, 1995, a Varian Clinac 4 linear accelerator containing approximately 220 pounds of depleted uranium was transferred to Robert Boissoneault Oncology Institute in Ocala, Florida. At the time of transfer, Robert Boissoneault Oncology Institute had a Florida State General License for depleted uranium (attached) which allowed for the possession of up to 600 pounds of depleted uranium.

Montgomery Hospital did not realize that depleted uranium licensed under a specific license could not be transferred to a facility, which had a general license for the possession of depleted uranium.

To avoid this situation from happening in the future, any transfer of equipment or products containing depleted uranium or byproduct material will be reviewed by the Radiation Safety Committee of Montgomery Hospital. It will be the responsibility of the Radiation Safety Committee to assure that the person receiving the equipment or by product is authorized to receive depleted uranium or byproduct material. This administrative policy is effective today, December 2, 2005, which puts Montgomery Hospital in full compliance with NRC regulation 10 CFR 40.51(b)(5).

If you have any questions or need any additional information, please contact our physicist, Carmine A. Pierno, MS at 610-270-2192.

Sincerely,

Timothy M. Casey
President and Chief Executive Officer

1807

STATE OF FLORIDA
DEPARTMENT OF HEALTH AND REHABILITATIVE SERVICES
OFFICE OF RADIATION CONTROL
1317 WINWOOD BOULEVARD
TALLAHASSEE, FLORIDA 32301

RECEIVED

MAY 17 1995

GENERAL LICENSE FOR DEPLETED URANIUM

Florida Department of Health and Rehabilitative Services Regulations, 10D-91.305, "Control of Radiation Hazard Regulations" provides a General License authorizing receipt, possession and use of depleted uranium and sets forth certain requirements to which the general licensee is subject.

INSTRUCTIONS: Submit this form in triplicate along with a registration fee of \$125.00 to the Office of Radiation Control, Dept. of Health and Rehabilitative Services, 1317 Winwood Blvd., Tallahassee, Florida 32399-0700.

- 1. Please print or type within the box below, the name, address (including Zip Code) and telephone number of registrant.

ROBERT BOISSONEAULT ONCOLOGY INST.
CANCER CENTER OF CITRUS COUNTY
NORMAN H. ANDERSON, M.D., P.A.
2020 S.E. 17th Street
Ocala, FL 34471
Phone: (904) 732-0277

60396
Numbers to be assigned by H.R.S.
CERTIFICATE NUMBER: 60396-1
EXPIRATION DATE: JUN 30 1996

- 2. Depleted Uranium Physical Form: Shield for Two (2) Varian 4 MEV linear accelerator
Amount (lbs.): 600 lbs.
- 3. Make and Model Number of Device: Varian 4 MEV Linear Accelerator
- 4. Use of Material: Shielding (Installed by Manufacturers)
- 5. Name and Title of Person Responsible for the Material: Lawrence T. Fitzgerald, PH.D.

FEE PAID
\$125.00
#15042

CERTIFICATION: I hereby certify that:

- 6. The General Licensee has developed and will maintain procedures designed to establish physical control over the depleted uranium.
- 7. The General Licensee developed and will maintain procedures designed to establish physical control over the depleted uranium described in Paragraph 10D-91.305, F.A.C. and designed to prevent transfer of such depleted uranium in any form, including metal scrap, to persons not authorized to reserve the depleted uranium.
- 8. The General Licensee agrees to report in writing to the Department any changes in information furnished by him within 30 days after the effective date of such changes.
- 9. The General Licensee agrees to abide by all applicable rules in 10D-91, portions of which are printed on the reverse of this form.

DATE May 10, 1995

BY Michael P. Hill
(Signature of person filing form)

Michael P. Hill, Administrative Director
(Printed Name and Title of Position of Person filing form)

- 10. This form serves as the GENERAL LICENSE when date stamped by the Office of Radiation Control.