June 12, 2007

Jackie DeSauza, Chief Operating Officer
Midwest Division - RMC, LLC
d/b/a Research Medical Center
2316 East Meyer Blvd.
Kansas City, Missouri 64132

SUBJECT: NRC INSPECTION REPORT NO. 030-13959/07-01(DNMS) AND NOTICE OF VIOLATION

Dear Ms. DeSauza:

On April 26 and 27, 2007, the NRC completed an onsite inspection at the Midwest Division - RMC, LLC facility in Kansas City, Missouri. The NRC conducted an in-office review through May 21, 2007, that included receipt and review of information regarding your estimate of dose to an embryo/fetus, and completion of our independent assessment of the dose. At the conclusion of the on-site inspection on April 27, 2007, the inspector discussed the preliminary findings with you and members of your staff. On May 21, 2007, a final exit meeting was conducted telephonically with your radiation safety officer.

This inspection was an examination of activities conducted under your license as they relate to safety and compliance with the Commission's rules and regulations and with the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews with personnel.

Based on the results of this inspection, the NRC has determined that two Severity Level IV violations of NRC requirements occurred. These violations were evaluated in accordance with the NRC Enforcement Policy included on the NRC's Web site at www.nrc.gov.

The violations are being cited in the enclosed Notice of Violation (Notice) because your staff failed to identify the violations.

The violations concern the: 1) failure to dispose of radioactive waste only in designated, labeled, and properly shielded receptacles; and 2) possession of licensed material not authorized on your license. Corrective actions for these violations included: 1) retraining all staff to ensure radioactive waste is only disposed of in designated, labeled, and properly shielded receptacles; and 2) to either dispose of the licensed material within 30 days of the telephonic exit meeting or to request an amendment to the license.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at http://www.nrc.gov/reading-rm/adams.html. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

We will gladly discuss any questions you have concerning this inspection.

Sincerely,

/RA/

Robert Gattone, Jr., Acting Chief
Materials Inspection Branch

Docket No. 030-13959
License No. 24-18625-01

cc: Dr. Steven Slack, Radiation Safety Officer

Enclosure:
Notice of Violation

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NOTICE OF VIOLATION

Midwest Division - RMC, LLC
d/b/a Research Medical Center
Kansas City, Missouri

Docket No. 030-13959
License No. 24-18625-01

During an NRC inspection conducted on April 26 and 27, 2007 with continued NRC in-office review through May 21, 2007, two violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the violations are listed below:

1. Condition 16 of Amendment No. 41 of License Number 24-18625-01 requires, in part, that the licensee conduct its program in accordance with statements, representations, and procedures contained in an application dated August 29, 2000.

   Item 10.4 titled “Safe Use of Radiopharmaceuticals” of the application dated August 29, 2000, states, in part, that the licensee will implement the model safe rules published in Appendix I to the Regulatory Guide 10.8, Revision 2.

   Item 9 of Appendix I to the Regulatory Guide 10.8, Revision 2 requires that the licensee shall dispose of radioactive waste only in designated, labeled, and properly shielded receptacles.

   Contrary to the above, on April 26, 2007, the licensee had disposed of technetium-99m waste in a receptacle that was not designated, labeled and properly shielded for radioactive waste disposal. Specifically, the licensee disposed of technetium-99m waste in a normal trash container near the area where patients were administered licensed material in the nuclear medicine department.

   This is a Severity Level IV violation (Supplement VI).

2. Subitems 6.K, 7.K, and 8.K of Amendment 41 of License Number 24-18625-01 states, in part, that the licensee may possess two Gadolinium-153 sealed sources not to exceed 450 millicuries each.

   Contrary to the above, from approximately March 2007 to April 26, 2007, the licensee possessed four Gadolinium-153 sealed sources that did not exceed 450 millicuries each.

   This is a Severity Level IV violation (Supplement VI).

Pursuant to the provisions of 10 CFR 2.201, Midwest Division - RMC, LLC, is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, with a copy to the Regional Administrator, Region III, 2443 Warrenville Road, Suite 210, Lisle, IL 60532 within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation” and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation or severity level, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the

correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

Because your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at http://www.nrc.gov/reading-rm/adams.html to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days.

Dated this 12th Day of June 2007