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7/23/07

James R. Mullauer
U.S. NRC Region III
2443 Warrensville Rd., Suite 210
Lisle, IL 60532-4352

Dear James:

This is an item by item response to your email letter of 7/06/07, requesting addition information on the new license application for Town & Country Cardiovascular Group, P.C. (Application dated 6/06/07).

1. Both facilities (2) that I will be list as RSO on, are within a 30 minute drive from my home. The licensees where I am RSO are located off major St. Louis interstate highways that I travel going and coming from other licensees that I consult to, but are not acting as RSO. This allows me to stop at the facilities if needed to review any radiation safety or licensing issues in person before my scheduled half day visits, which are scheduled quarterly. During the initial startup of the new licensee I also frequently contact them by telephone to receive verbal confirmation that the technologist is not aware of any problems with their radiation safety program. Town & Country Cardiovascular Group is not new to the use of radioactive material for cardiovascular imaging. Town & Country Cardiovascular Group, P.C., has been using NARM material under Missouri Radiation Control Program Registration # DHSS 3940 since 1999. Although not required, Town & Country has chosen to run their NARM program according to Part 35 regulations. Besides Dr. Lisa Reis, proposed AU on new License, another physician in the group, John, R. Groll has completed 200 hours of radiation safety, but was unable to be preceptored onto a hospital license due to hospital politics (radiologists vs. cardiologists). They have two experienced technologists (CNMT's) that combined have more than 20 years of experience. I have been consulting to Town & Country since their start up in 1999.

Presently I consult to 26 licensees that cover the spectrum from small limited scope diagnostic to manufacturer and distributor of PET radiopharmaceuticals. These licensees are located in Missouri, Illinois, and Kansas.

My best evidence that I am both an effective consultant and RSO and that duties as RSO at another licensee will not degrade the radiation safety programs at other facilities I consult to, is recent NRC and Agreement State inspection reports, most of which are no items of noncompliance noted at the time of the inspection. The other licensee where I am the RSO (The Heart Care Group) was inspected by Deborah Piskura today(7/23/07). Base on her inspection, no violations were noted.

James Mullauer
NRC Region III
7/23/07
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2. I can usually respond immediately, since if I am a licensee's RSO they are provided my cell phone number in addition to my home office telephone and fax numbers. During brief periods I may be out of cell tower range, on an air flight where the use of cell phones is prohibited, or in a shielded facility where the cellular signal is blocked. The licensees are instructed to contact our main office Associates in Medical Physics, LLC, in Cleveland, Ohio, if I cannot be reached. Our office personnel have my schedule and know how to reach me at additional phone numbers. I also have additional partners (Nuclear Consultants and RSO's on various NRC and Agreement State Licenses) that can provide assistance to the licensee.
3. I use both verbal and written format to inform management of any unsafe practices and incidents. Management's role in responding to such circumstances is noted in the RSO delegation of authority where it states that I as RSO have the right and duty to notify NRC if the licensee does not cooperate and address these types of radiation safety issues.
4. At a minimum the licensee will receive four (4) written reports. Three of the reports are quarterly reviews and the fourth report is a combined quarterly audit review and an annual review of the ALARA and Radiation Safety Program.
5. Attached is the RSO Delegation of Authority, signed by both management and myself.
6. Town & Cardiovascular Group, P.C., confirms that they reserve the right to upgrade instruments as needed as long as they are adequate to measure the type and level of radiation for which they are used.

Sincerely,



Thomas W. Dickinson
Licensed Medical Nuclear Physicist
Consultant and proposed RSO - Town & Country Cardiovascular Group, P.C.

Delegation of Authority

To: Radiation Safety Officer

From: John P. Hess, M.D., President, Town & Country Cardiovascular Group, P.C.


Subject: Delegation of Authority

You, Thomas W. Dickinson, have been appointed Radiation Safety Officer and are responsible for ensuring the safe use of radiation. You are responsible for managing the radiation protection program; identifying radiation protection problems; initiating, recommending, or providing corrective actions; verifying implementation of corrective actions; stopping unsafe activities; and ensuring compliance with regulations. You are hereby delegated the authority necessary to meet those responsibilities, including prohibiting the use of byproduct material by employees who do not meet the necessary requirements and shutting down operations where justified by radiation safety. You are required to notify management if staff do not cooperate and do not address radiation safety issues. In addition, you are free to raise issues with the Nuclear Regulatory Commission or other regulatory agency at any time.

I accept the above responsibilities,


Signature of Management Representative

7/10/07
Date


Signature of Radiation Safety Officer

July 11, 2007
Date

cc: Appropriate Personnel