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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION III  
2443 WARRENVILLE ROAD, SUITE 210  
LISLE, ILLINOIS 60532-4352

Yun Wang, Ph.D.  
Radiation Safety Officer  
Central Indiana Cancer Centers  
1346 East County Line Road  
Indianapolis, IN 46227

JUL 07 2008

Dear Dr. Wang:

Enclosed is Amendment No. 11 to your NRC Material License No. 13-32241-01 in accordance with your request. Please note that the changes made to your license are printed in bold font.

Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region III office at (630) 829-9887 so that we can provide appropriate corrections and answers. At this time I was unable to approve Murali G. Murty, M.D. as an Authorized User for the use of materials in 10 CFR 35.400 and 35.600, limited to HDR remote afterloading brachytherapy (HDR), because the information in your letter dated May 12, 2008, was insufficient to complete my review.

If you wish to pursue this request, please provide a written response to the information below, addressed to my attention as "additional information to Control No. 317156." We will then continue our review.

1. Dr. Murty could not be approved for the use of materials in 10 CFR 35.400 and 35.600, limited to HDR remote afterloading brachytherapy, because many sections of his Form NRC 313 (AUS) were incompletely filled out or left blank.

Please submit complete and appropriate information in support of Dr. Murty's request that demonstrates he meets the training and experience requirements in 10 CFR 35.57, 35.490, 35.690 and 35.59, as appropriate.

Dr. Murty's application was also deficient because we were unable to verify the status of his preceptor, Dr. Usha Babaria. This is because the referenced license is for Drexel University College of Medicine, Hahnemann University Hospital, which is an Agreement State licensee.

In addition, the institutions under which Dr. Murty completed his training, have a Broad scope medical license. Broad scope medical licenses do not list the names of Authorized Users individually because internal Radiation Safety Committees evaluate and maintain rosters of Authorized Users.

Please submit a copy of the license under which Dr. Babaria trained Dr. Murty in the use of materials in 10 CFR 35.400, and 35.600, limited to HDR, in order to demonstrate that Dr. Babaria was qualified to serve as Dr. Murty's preceptor from July 1, 2006 until June 30, 2008.

As Hahnemann University Hospital's license is a broad scope license, please also submit a copy of a letter signed by the Chair of the Radiation Safety Committee attesting that Dr. Babaria was an authorized user for the use of materials in 10 CFR 35.400 and 35.600,

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The enclosed document contains sensitive security-related information.  
When separated from this cover letter this letter is uncontrolled.

Y. Wang

limited to HDR from July 1, 2006, until June 30, 2008.

Additionally, please explain why Dr. Babaria signed the Preceptor Forms for Dr. Murty on April 30, 2008, attesting that Dr. Murty had already completed his training on June 30, 2008, two months after the date of signature. Please also be reminded of the provisions in 10 CFR 30.9(a), "Completeness and accuracy of information,"..."(a) Information provided to the Commission by an applicant for a license or by a licensee or information required by statute or by the Commission's regulations, orders, or license conditions to be maintained by the applicant or the licensee shall be complete and accurate in all material respects."

I have enclosed a copy of Dr. Murty's forms and I have marked them in the areas that are incomplete/blank.

You may refer to the above sections in 10 CFR 35 and NUREG 1556, Vol. 9, Rev. 2, Section 8.11, Item 7, and Appendices B, D and E for assistance.

Please do not submit resumes, CV's, or personal, proprietary information that we must protect, in accordance with 10 CFR 2.390, such as social security numbers, dates of birth, home addresses or phone numbers, patient records, college transcripts, etc.

2. Partly as a result of our implementation of RIS 2005-31, please specify which manufacturer's names/model numbers you want listed in Subitem Nos. 7.D. and 7.E., 8.D. and 8.E.

Please submit this information within 30 days of the date of this letter. I originally requested this information from you in my letter dated June 12, 2006, transmitting Amendment No. 09. To date, we have not received this information.

We must now review license applications and prepare license documents in accordance with RIS 2005-31 and the requested information is necessary to complete that review.

3. Please note that Condition No. 17 has been corrected so that it applies to Subitem No. 6.G.

4. I noted that the new HDR device you requested authorization for can be used for either Pulsed Dose Rate or HDR purposes. As you did not specify which purpose you intended to use it for, I assumed you would use it for HDR treatments and I added it to the license as such. If my understanding is incorrect, please contact me immediately at 630-829-9841.

If you have further questions concerning these matters please contact me at (630) 829-9841 or (800) 522-3025.

Y. Wang

Please note that NRC Form 313 requires the applicant, by his/her signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of the applicant's knowledge. The signatory for an application for medical use must be the licensee's management, as required by 10 CFR 35.12(a).

NRC's Regulatory Issue Summary (RIS) 2005-31 provides criteria to identify security-related sensitive information and guidance for handling and marking of such documents. This ensures that potentially sensitive information is not made publicly available through ADAMS, the NRC's electronic document system.

Pursuant to NRC's RIS 2005-31 and in accordance with 10 CFR 2.390, this letter and the enclosed license document are exempt from public disclosure because their disclosure to unauthorized individuals could present a security vulnerability.

The RIS may be located on the NRC Web site at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2005/ri200531.pdf> and the link for frequently asked questions regarding protection of security related sensitive information may be located at: <http://www.nrc.gov/reading-rm/sensitive-info/faq.html>.

You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you. This could include issuance of a notice of violation, or imposition of a civil penalty, or an order suspending, modifying or revoking your license as specified in the General Statement of Policy and Procedure for NRC Enforcement Actions. Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken when dealing with licensees who do not achieve the necessary meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

Sincerely,



Colleen Carol Casey  
Materials Licensing Branch

License No. 13-32241-01  
Docket No. 030-35383

Enclosures:

Y. Wang

1. Amendment No. 09
2. Copy of Dr. Murty's 313 (AUS) forms