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

OCT 17 2008

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

Dear Dr. Wang:

Enclosed is Amendment No. 12 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.

**This refers to your letters dated May 12, 2008, and August 22, 2008, concerning Dr. Murtry and your letter dated July 18, 2008.**

**Please note that I was unable to approve most of the requests made in these letters at this time because the information submitted was insufficient to complete my review.**

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. If you wish to pursue the matter concerning Dr. Murtry, please submit a written response to the items below and attached, referencing Control Number 317356 and put it to my attention.

**Please submit a complete written response concerning the authorizations in Subitem Nos. 7.E., 8.D. and 8.E. within 30 days of the date of this letter or call me to discuss an alternative response date.**

**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 letters dated May 12, 2008, and August 22, 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. 317356." Note that this is a different control number than the one used in my previous letter concerning Dr. Murtry.**

**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 several 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**

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

Y. Wang

10 CFR 35.57, 35.490, 35.690 and 35.59, as appropriate.

Dr. Murty's application was also deficient because it is unclear whether Dr. Babaria supervised Dr. Murtry's training from July 1, 2004 to June 30, 2007, or June 30, 2008. This is because (1) it appears that Dr. Babaria may not have been working at Hahnemann University Hospital ("Hahnemann") until approximately December 2006, based upon the letter submitted from Hahnemann's Radiation Safety Officer, which is lacking a date but appears from the facsimile line to have been received by your office on August 19, 2008; and (2) please clarify the appropriate endpoint of Dr. Murtry's training and experience at Hahnemann, i.e., is it June 30, 2007, or June 30, 2008? Both dates are used on the revised Preceptor Forms submitted and it is not clear which is correct.

If Dr. Murtry was supervised by an Authorized User other than Dr. Babaria it will be necessary to name that individual(s) and provide appropriate, complete preceptor attestation forms relating said supervision.

My previous letter also requested:

"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. "

The explanation requested was not provided in your letter dated August 22, 2008 please provide this explanation.

I also noted that Dr. Babaria signed the forms submitted attesting that Dr. Murtry had completed all of the training and experience requirements in 10 CFR 35.490 and 35.690, when it is clear from the blank spaces on the forms that Dr. Murtry had not completed certain requirements. Please provide an explanation for this also.

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.

Y. Wang

**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.E., 8.D. and 8.E.**

**Your letter dated July 18, 2008, contained information for your palladium-103 sources that I was unable to verify in the Sealed Source and Device Registry (SSDR). Please revise your request accordingly so that I can verify the manufacturer and model no. in the SSDR.**

**Your letter dated July 18, 2008, also indicated that information was included that addressed the possession limits you want in Subitem Nos. 8.D. and 8.E. However, this information was not provided - please provide it now.**

**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 completely 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.

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

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.

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Pursuant to NRC's RIS 2005-31 and in accordance with 10 CFR 2.390, the enclosed license document is exempt from public disclosure because its 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>.

A copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS).

The NRC's document system is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

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:

1. Amendment No. 12

Y. Wang

2. Copy of Dr. Murty's 313 (AUS) forms