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

AUG 28 2009

Nanci A. Burchell
Radiation Safety Officer
Children's Mercy Hospital
2401 Gillham Road
Kansas City, MO 64108-9898

Dear Ms. Burchell:

Enclosed is Amendment No. 37 to your NRC Material License No. 24-15513-01 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.

If you have any questions concerning this amendment please contact me at either (630) 829-9841 or (800) 522-3025.

Please note that I was unable to approve Jeremy Fullingim, D.O. as an authorized user (AU) for materials in 10 CFR 35.100, 35.200 and 35.300 at this time because the information in your letters dated June 1, 2009, and August 12, 2009, was insufficient to complete my review.

If you wish to pursue this request, please submit the information requested below and address it to my attention as "additional information to control number 318204." We will then continue our review.

Dr. Fullingim wasn't approved as an AU for the use of materials in 10 CFR 35.100, 35.200 and 35.300, in part because his specialty board certification is not acceptable for the use of materials in 10 CFR 35.300 that exceed 33 millicuries of sodium iodide I-131.

Also, we were unable to verify his preceptor's qualifications because the preceptor references (OSUMC), an Agreement State license (that we do not have access to) that could also be a broad scope license, i.e., it does not name AU's on its license document directly; rather, its Radiation Safety Committee evaluates and approves/disapproves of AU's internally.

Please submit a copy of the Agreement State License for OSUMC, and, if appropriate, please also submit a letter currently signed and dated by the Chair of the Radiation Safety Committee stating which modalities Dr. Dean Fullingim was authorized for under the license and which timeframes he held said authorization.

Please do NOT submit copies of minutes from the licensee's RSC meetings or other documents from the Agreement State licensee, especially patient records, or extraneous documentation that we must protect, per 10 CFR 2.390.

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

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N. Burchell

Please refer to the above regulatory requirements as well as section 8.11, item 7 and Appendices B, D and E in NUREG 1556, Vol. 9, Rev. 2, for assistance in preparing your response.

If Forms 313a will be used in support of your response, please use the newly revised Forms found on our website at:

[http://www.nrc.gov/reading-rm/doc-collections/forms/nrc313a\(aud\).pdf](http://www.nrc.gov/reading-rm/doc-collections/forms/nrc313a(aud).pdf)

In addition, if, you may find the guidance in RIS 2003-17 helpful, found at this link on our website:

<http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2003/ri200317.pdf>

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.

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."

Please note that I added several new License Conditions at this time, Nos. 19 through 24, inclusive. These Conditions are standard for the types of uses authorized by your license but were inadvertently left off until now.

Please also note that I am unable to approve your request to add a "backup RSO" for your license. This is because 10 CFR 35.24(b) requires a licensee to appoint "a Radiation Safety Officer," in the singular meaning of the phrase. Therefore, more than one "RSO," even if the other RSO bears an additional designation of "Alternate" or "Deputy," etc. cannot be authorized.

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, the enclosed license document is exempt from public disclosure because its disclosure to unauthorized individuals could present a security vulnerability.

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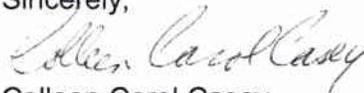
N. Burchell

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. 24-15513-01
Docket No. 030-09259

Enclosure:

Amendment No. 37

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