August 24, 2010

Mr. Willis E. Brumley, M.S.
Radiation Safety Officer
Missouri Cancer Associates, LLC
1705 East Broadway
Columbia, Missouri 65201

SUBJECT: NRC INSPECTION REPORT NO. 030-37082/10-01(DNMS) AND NOTICE OF VIOLATION– MISSOURI CANCER ASSOCIATES, LLC

Dear Mr. Brumley:

On July 29, 2010, a U. S. Nuclear Regulatory Commission (NRC) inspector conducted a routine inspection at the Missouri Cancer Associates, LLC facility in Columbia, Missouri. The inspection findings were discussed with you during an exit meeting on July 29, 2010.

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 the inspection, the NRC has determined that one Severity Level IV violation of NRC requirements occurred. The violation was evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's website at http://www.nrc.gov/about-nrc/regulatory/enforcement/enforcement-pol.html. The violation involved the failure to ensure that no other radiation producing equipment was in the room where the Micro-Selectron High Dose Rate Afterloader was used and stored. The violation is cited in the enclosed Notice of Violation (Notice). The violation is being cited in the Notice because it was identified by the NRC.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The guidance in NRC Information Notice 96-28, "Suggested Guidance Relating to Development and Implementation of Corrective Action," may be helpful. You can find the Information Notice on the NRC website at: http://www.nrc.gov/reading-rm/doc-collections/gen-comm/info-notices/1996/in96028.html. 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 Title 10 Code of Federal Regulations 2.390 of the NRC's "Rules of Practice," a copy of this letter and your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and

Management System (ADAMS), accessible from the NRC website at http://www.nrc.gov/readingrm/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.

Sincerely,

***/RA/***

Tamara E. Bloomer, Chief
Materials Inspection Branch

Docket No. 030-37082
License No. 24-32604-01

Enclosure:
Notice of Violation

cc w/ encls: State of Missouri

Management System (ADAMS), accessible from the NRC website at http://www.nrc.gov/readingrm/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.

Sincerely,

***/RA/***

Tamara E. Bloomer, Chief
Materials Inspection Branch

Docket No. 030-37082
License No. 24-32604-01

Enclosure:
Notice of Violation

cc w/ encls: State of Missouri

*See previous concurrence
DOCUMENT NAME: G:\Work in progress\IR - Missouri Cancer Associates 030-37082 letter.docx
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**To receive a copy of this document, indicate in the concurrence box "C" = Copy without attach/encl "E" = Copy with attach/encl "N" = No copy**

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NOTICE OF VIOLATION

Missouri Cancer Associates, LLC
Columbia, Missouri

Docket No. 030-37082
License No. 24-32604-01

During an U.S. Nuclear Regulatory Commission (NRC) inspection conducted on July 29, 2010, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

> Condition 16 of License No. 24-32604-01 states, in part, that the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in a letter dated September 2, 2005.
>
> Item 9 within the letter dated September 2, 2005, states, in part, that the Micro-Selectron HDR unit is the only unit in the room; therefore there is no other radiation producing equipment in the room.
>
> Contrary to the above, as of July 29, 2010, an X-ray machine, which produces radiation, was used and stored in the same room as the Micro-Selectron HDR unit.
>
> This is a Severity Level IV violation (Supplement VI).

Pursuant to the provisions of Title 10 Code of Federal Regulations (CFR) 2.201, Missouri Cancer Associates, 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, 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; 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, U.S. 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 Agencywide Documents Access and Management System (ADAMS), accessible from the NRC website 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 24TH day of August 2010.