



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
1600 EAST LAMAR BOULEVARD
ARLINGTON, TEXAS 76011-4511

November 7, 2012

The Cancer Center of Hawaii, LLC
ATTN: Ronald W. Frick
Radiation Safety Officer
2226 Liliha Street
Honolulu, Hawaii 96817

SUBJECT: LICENSE AMENDMENT

Dear Mr. Frick:

Please find enclosed Amendment Number 08 to NRC License Number 53-27797-01 **adding Jundong Huang, Ph.D., as an Authorized Medical Physicist (AMP) as requested in letter dated August 22, 2012. Please note, a second amendment request in letter dated April 10, 2012 and received in this office on August 28, 2012, with Mail Control Number 579039 to add two additional AMPs was also processed, and was voided without prejudice to the resubmission of a new amendment request because we did not receive the additional information needed to add Ramasamy Virudachalam, Ph.D., as requested in email dated October 25, 2012. In order to add this individual to the license as an AMP we need the following information:**

1. **A statement confirming Dr. Virudachalam has received training for the same make and model as the HDR unit at your facility that includes hands-on device operation, safety procedures, clinical use, and the operation of the treatment planning system. This training requirement may be satisfied by satisfactorily completing either a training program provided by the vendor or by training supervised by an authorized medical physicist authorized on your license.**

The other request to add Dr. Kevin Y. Xu, Ph.D., was not processed because Dr. Yu is already listed on the license as an AMP. An environmental assessment for this action is not required since this action is categorically excluded under 10 CFR 51.22(c)(14)(iv). You should review the enclosed document carefully and be sure that you understand all conditions. You can contact me at (817) 200-1596 if you have any questions about this license.

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency's *expectations* for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html>. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

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 RIS may be located on the NRC Web site at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2005/>. Pursuant to NRC's RIS 2005-31, the enclosed materials license will not be made publicly available.

NRC expects licensees to conduct their programs with meticulous attention to detail and a high standard of compliance. Because of the serious consequences to employees and the public that can result from failure to comply with NRC requirements, you must conduct your radiation safety program according to the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate by NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers: Inspection and Investigations," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Notify NRC in writing of any change in mailing address.
3. By 10 CFR 30.36(d) and/or license condition, notify NRC, promptly, in writing, and request termination of the license:
 - a. When you decide to terminate all activities involving materials authorized under the license whether at the entire site or any separate building or outdoor area;
 - b. If you decide not to acquire or possess and use authorized material; or
 - c. When no principal activities under the license have been conducted for a period of 24 months.
4. In accordance with 10 CFR 35.14, notify the NRC no later than 30 days after:
 - a. The date that the licensee permits an individual to work as an authorized user, an authorized nuclear pharmacist or an authorized medical physicist under 10 CFR 35.13(b)(1) through (b)(4);
 - b. An authorized user, an authorized nuclear pharmacist, a Radiation Safety Officer, or an authorized medical physicist permanently discontinues duties under the license or has a name change;
 - c. The licensee's mailing address changes;
 - d. The licensee's name changes, but the name change does not constitute a transfer of control of the license as described in 10 CFR 30.34(b); or
 - e. The licensee has added to or changed the areas of use identified in the application or on the license where byproduct material is used in accordance with either 35.100 or 35.200.
5. Request and obtain a license amendment before you:
 - a. Change Radiation Safety Officers;
 - b. Order byproduct material in excess of the amount, radionuclide or form authorized on the license;
 - c. Add or change the areas or address(es) of use identified in the license application or on the license, except for areas of use where byproduct material is used only in accordance with either 10 CFR 35.100 or 35.200; or

- d. Change the name or ownership of your organization.
- 6. Submit a complete renewal application or termination request at least 30 days before the expiration date on your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of radioactive material after your license expires is a violation of NRC regulations.

NRC will periodically inspect the licensee's radiation safety program. The failure of the licensee to conduct its program in accordance with NRC regulations, license conditions, and representations made in the license application and supplemental correspondence with NRC, may result in enforcement action against the licensee. This could include issuance of a notice of violation; imposition of a civil penalty; or an order suspending, modifying, or revoking the license as specified in the NRC Enforcement Policy. The NRC Enforcement Policy is available on the following internet address: www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html.

An electronic version of the NRC's regulations is available on the NRC Web site at www.nrc.gov. Additional information regarding medical uses of radioactive materials may be obtained on the NRC Web site at: www.nrc.gov/materials/miau/med-use-toolkit.html. This site also provides the updated Training and Experience NRC Form 313A series of forms and guidance, as well as information on the revised regulations for naturally-occurring and accelerator-produced radioactive materials (NARM).

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at www.nrc.gov/reading-rm/adams.html.

Thank you for your cooperation.

Sincerely,

/RA/

Lizette Roldán-Otero, Ph.D., Health Physicist
Nuclear Materials Safety Branch B

Docket: 030-36775
License: 53-27797-01
Control: 578139 & 579039

Enclosure: As stated