

CONVERSATION RECORD

**COLLEEN CAROL CASEY
MATERIALS LICENSING BRANCH
UNITED STATES NUCLEAR REGULATORY COMMISSION**
REGION III
2443 WARRENVILLE ROAD STE 210
LISLE, ILLINOIS 60532-4352
OFFICE: (630)-829-9841 FAX: (630) 515-1078
EMAIL: COLLEEN.CASEY@NRC.GOV

	TIME	DATE
ACTUALLY FAXED <u>EMAILED?</u> YES.	NICK LANNUTTI LEFT VOICEMAIL MESSAGE FOR C. CASEY ON 6/28/13 ACKNOWLEDGING RECEIPT OF THIS.	June 27, 2013
Fax No.: 417-820-7865		
Email address: Nicholas.lannutti@mercy.net		

NAME OF PERSON(S) CONTACTED	ORGANIZATION	TELEPHONE NO.
Nick Lannutti, M.S., RSO for	Mercy Hospital Springfield	417-820-7704

SUBJECT

License No.: 24-00866-02

Control No.: **580616****SUMMARY**

We have reviewed your letters dated May 2, 2013, and June 20, 2013, requesting an amendment to your byproduct materials license and find that we need additional information as follows:

The issues that originated with your May 2, 2013 submission (discussed in a telephone call between you and me on May 28, 2013) and those remaining with your June 20, 2013 submission appear to be related to incompleteness, inaccuracy, and misunderstanding.

Please 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."

1. The original 313a AUS forms submitted with your May 2, 2013, letter did not have the "Supervised Individual" blocks filled in. You and I spoke about this in a telephone conversation on May 28, 2013.

These blocks are filled in on the 313a AUS forms attached to your June 20, 2013, response letter, but the forms were not currently signed and dated after the corrections

were made. The forms still show the preceptor physician's signature and the date of "7/14/11" for the signature.

Please have these forms currently signed and dated by the preceptor physician, as they have been revised since the original submission.

2. We are still unable to verify Dr. Jaboin's preceptor, Dr. Anuradha Chakravarthy, because the copy of the Vanderbilt University license was redacted in several sections that prevent our ability to corroborate that the license authorizes the modalities for which Dr. Chakravarthy supervised and preceptored Dr. Jaboin.

Your June 20, 2013, letter indicates that the Vanderbilt license was redacted and you advised us to contact Ben Edwards at Vanderbilt about this.

Please note that all documents pertaining to your license and your amendment must come to us from you and not from third parties. Your currently signed and dated (by your management, see 10 CFR 35.12) response letters transmitting information to us must be complete and accurate in all material respects.

As a matter of course, NRC routinely evaluates every document received and protects them accordingly.

Please submit a complete, signed and dated, and un-redacted version of the most recent version of the Vanderbilt University license to us. I will not be able to contact Mr. Edwards as that contact must come from you in order to amend your license.

Please refer to NUREG 1556 Vol. 9, Rev. 2, Appendix D, Section V for assistance. 10 CFR 35.490, 35.690, Appendices B, C and the rest of Appendix D in the afore-mentioned NUREG may also assist you.

3. The 313a AUS forms submitted for Dr. Jaboin are marked for "35.600 teletherapy" with "linear accelerator" written in as part of his requested authorization. Please be reminded that NRC does not have the regulatory authority to license physicians to use linear accelerators. We just wanted to ensure that Dr. Jaboin is aware of this matter.
4. **This is a "no response" item consisting of general advice and information that may help you in the future when you feel you must request expedited action from us, as you have in this instance:**

If at all possible, provide the information requested below on the first page of your original amendment request letter to best facilitate highlighting your licensing needs and enabling us to serve you better.

If or when an emergent medical situation arises after you have submitted an amendment request to your license and you can justify and support the need for that particular amendment, it would be most helpful to contact us by telephone as soon as possible.

Our management directs our work and must authorize any disruptions of our work.

So if you know of an emergent medical situation impacting your license and you need an amendment by a certain specific date (not "stat" or "as soon as possible," etc.), please advise us of the situation, the date when the amendment is needed and the justification and support for it, which should be briefly summarized.

Please also ensure that an appropriate senior management official (and/or your Radiation Safety Officer) signs and dates the amendment request/expedite request letter. Please include the name of at least one knowledgeable contact person who is familiar with your amendment request, his or her direct telephone number, email address and the best fax number to use to transmit the completed amendment. Then we can take your request to our management for evaluation and assignment.

Thank you in advance for your cooperation.


In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this record will be 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 Web site at <http://www.nrc.gov/reading-rm/adams.html>.

ACTION REQUIRED

Submit the requested information within 15 calendar days (by July 15, 2013) by referencing control number **580616** to facilitate proper handling in our office. Please contact me if you need to make alternative response arrangements.

Upon receipt of your response we will reactivate placement of your request in our database and resume our review. Address your written response, via an appropriately dated and signed (by management) cover letter, to my attention at the above address.

PLEASE DIRECT ANY QUESTIONS YOU MAY HAVE TO ME AT 630-829-9841 or 800-522-3025, ext. 9841.

NAME OF PERSON DOCUMENTING CONVERSATION	SIGNATURE	DATE
Colleen Carol Casey		June 27, 2013