



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

FEB 03 2017

Lawrence Ricci, D.O.
Radiation Safety Officer
Truman Medical Center
2301 Holmes Street
Department of Radiology
Kansas City, MO 64108

Dear Dr. Ricci:

Enclosed is Amendment No. 41 to your NRC Material License No. 24-25816-01 in accordance with your request.

In this amendment we deleted Condition No. 13 as it appeared on Amendment No. 40, because its requirements were added to the Preamble at the top of page 1 of your license. Your remaining Condition has been reordered to accommodate this change.

We are unable to approve Tiffany C. Lewis, D.O., for the authorization to use materials in 10 CFR 35.100, 35.200 and 35.300 at this time because the information provided in your letter dated November 1, 2016, was insufficient to complete our review.

If you wish to pursue this request, please provide a complete, written response that is currently dated and signed by a senior management official for this license, pursuant to 10 CFR 35.12(a).

Please note that you, as the Radiation Safety Officer, may co-sign correspondence to us but our regulations require the signature of management, pursuant to 10 CFR 35.12(a).

Your written response should be addressed to my attention at the above address, as "additional information to control number 592281." We will then continue our review.

Dr. Lewis's request to become an authorized user for materials in 10 CFR 35.100, 35.200, and 35.300 must be supported by the completion of appropriate preceptor attestation forms NRC 313A(AUD) and 313A(AUT).

In addition, we cannot approve any authorized users for all of 10 CFR 300 because there currently are no medical uses in 10 CFR 35.390(b)(1)(ii)(G). If Dr. Lewis can support the request, she may apply to become an authorized user for materials in 10 CFR 35.392, 35.394 and 35.396. Please review these regulations carefully to determine whether her training and experience fully qualify her for these uses. This is probably a "newer" issue that you may or may not have experienced with us before.

Although signed preceptor attestations were submitted, they are incomplete because we are unable to verify the preceptor indicated, Reginald W. Dusing, M.D., from a license for #18-C801

(KS), Kansas.

Since Kansas is an Agreement State, NRC does not have jurisdiction over this license and cannot verify the preceptor. Please submit a complete, current, unredacted, signed and dated copy of the license that Dr. Dusing is an authorized user under.

In addition, if this license is a Type A broad scope medical license, the licensee's Radiation Safety Committee evaluates and approves/disapproves of authorized users internally. The names of specific authorized users will not appear directly on the license, if this is the case.

Please submit a currently dated, signed letter from the Chairperson of the licensee's Radiation Safety Committee or from the Radiation Safety Officer for this license, stating that Dr. Dusing was an authorized user for the use of materials in 10 CFR 35.100, 35.200 and 35.392, 35.394 and 35.396 (or the Agreement State equivalents in Kansas) between which (please specify) dates.

Your response should be accompanied by a business style letter containing all of the information on Form NRC 313, or you may submit the completed and signed Form NRC 313.

Please refer to the regulatory requirements in 10 CFR 35.290, 35.392, 35.394, 35.396, 35.59 and section 8.12, item 7 and Appendices B, D and E in NUREG 1556, Vol: 9, Rev. 2, for assistance in preparing your written response. Part V. on page D-3, second paragraph, in Appendix D describes the information we are requesting.

NUREG 1556, Vol. 9, Rev. 2, "Consolidated Guidance About Materials Licenses: Program - Specific Guidance About Medical Use Licenses," is available on our website at:

<http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/v9/r2/>

Our medical licensing toolkit page is at:

<https://www.nrc.gov/materials/miau/med-use-toolkit.html>

Our listing of specialty board certifications that we accept for each modality is at:

<https://www.nrc.gov/materials/miau/med-use-toolkit/spec-board-cert.html>

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 do not resubmit what we have already received from you.

Please also include in your response the name and functional identity of a point of contact, his or her direct telephone number and fax number and email address for our records, in order to have better means of reaching you. Your letter directed us to "Subby Anzalone- Health

Physicist", who is unknown to us at this point. Since we were able to partially issue your amendment, we are seeking the additional information for Dr. Lewis via this letter.

Please be reminded that USNRC is an independent and objective federal government regulator.

The following is not official guidance, it is only a summary of language I have had to use often in deficiency correspondence, such as this.

Our intention is to clarify expectations with respect to the review process so that we may serve you and all of our licensees better.

This is not intended to be "all-inclusive", nor is it a substitute for your reviewing our regulatory requirements and guidance as they apply to your particular license and situation and preparing your licensing requests in accordance with them.

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."

What 10 CFR 30.9(a) means, in part, is that you, as the licensee, are primarily responsible for the quality of your submissions to NRC, as well as the completeness and accuracy of all information provided.

You, the licensee, are responsible for checking and verifying that the information you provide supports the requests you make to your license and that the requests you make to your license are in alignment with our regulations and guidance.

Please do not expect NRC to perform the first check and verification of your licensing requests. We perform the regulatory authority verification that the information needed to consider your requests has been completely provided.

It is understandable and expected that, occasionally, some minor additional information must be solicited from a licensee in the course of the review process.

But such occurrences should be rare and exceptional and address primarily minor issues, or information that could not have been foreseen or planned around, etc.

There should not be routine and/or repetitive requests for additional information that address basic issues codified in our regulations for many years and which have been discussed in

ample detail in our guidance documents, regulatory issue summaries, information notices, information on our website, and brought to your attention in previous deficiency and cover letter correspondence.

Your assistance in these matters is greatly appreciated and enables us to serve you and all of our licensees fairly and in a more timely fashion.

If you have any questions concerning this request for additional information, please contact me at either (630) 829-9841 or (800) 522-3025, ext. 9841. My fax number is 630-515-1078.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure 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>.

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.

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.

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.

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>.

L. Ricci

- 5 -

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.

Sincerely,

A handwritten signature in cursive script that reads "Colleen Carol Casey".

Colleen Carol Casey
Materials Licensing Branch

License No. 24-25816-01
Docket No. 030-30130

Enclosure:

Amendment No. 41