



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

MAY 22 2019

Ruth Schukman - Dakotas
Radiation Safety Officer
North Kansas City Hospital
2800 Clay Edwards Dr.
North Kansas City, MO 64116

Dear Ms. Schukman - Dakotas:

Enclosed is Amendment No. 53 to your NRC Material License No. 24-18628-01 in accordance with your request.

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.

This also refers to the letters dated February 28, 2019 ("the February letter"), and April 23, 2019 ("the April letter"), signed by Rhonda Self, Vice President, Professional Services and Service Line Initiatives.

Except for the request to add Andrew Boerkircher, D.O. as an authorized user for materials in 10 CFR 35.200, which we approved in this amendment, the remaining requests in the February letter pertained to removing authorization for the high dose rate ("HDR") remote afterloading brachytherapy device, its related location of use in Condition No. 10.C., authorized user and authorized medical physicist.

We were unable to approve the requests in the February letter pertaining to the removal of authorization for the high dose rate ("HDR") remote afterloading brachytherapy device, its related location of use in Condition No. 10.C., authorized user and authorized medical physicist from your license because the information in the letter was insufficient to complete our review.

If you wish to pursue this request, please provide only one response to the items below.

Please only send us one complete, written, currently dated and legibly, physically signed (by an appropriate senior management official) correspondence document, such as either an NRC Form 313 or a business-style letter containing the same information as an NRC Form 313a.

Please ensure that the requested information is answered completely and accurately.

Please do not send multiple copies of responses and please do not submit any information that is identical to what you have already sent us.

Please do not email a PDF document to me, and transmit a faxed version, and/or a hard copy sent by mail. Only one copy transmitted in only one of these ways is appropriate to prevent

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

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administrative processing errors. The most reliable and fastest way to respond is to send a fax to me at (630) 515-1078.

Please address your written response to my attention as "additional information to control number 611569" to facilitate proper handling in our offices.

Please always provide the name, direct telephone number, fax number and email address for at least one individual knowledgeable in the amendment being requested.

Please consider scheduling a telephone call with me to discuss the items in this letter.

Arranging the call by email is preferable. My email address is colleen.casey@nrc.gov. My telephone number is (630) 829-9841. My fax number is (630) 515-1078.

A telephone discussion of these items may serve to clarify the information required by our regulations so that your response will be complete and accurate. Please also note that 10 CFR 30.41 and 30.51 may be of assistance to you, in addition to the regulations mentioned below.

Please be reminded that 10 CFR 30.9(a) requires: " (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. Your February letter stated that you no longer have the HDR unit and that all sources had been returned.

However, you provided no documentation to support these assertions, as required by 10 CFR 35.41, 35.51, 35.92 and 35.2092.

For the removal of HDR sealed source(s) and device(s) from your license, if sources were transferred or disposed of, please provide a copy of the final leak test result for the sealed source; a copy of an acknowledgment of receipt from the licensed entity who took possession of the source, with an appropriate level of detail to identify the source and recipient; the NRC license number or license copy of the recipient/transferee; and if the recipient/transferee is an Agreement State licensee, please include a current and complete, un-redacted copy of its license that clearly shows it is licensed to receive your sources.

If the HDR sealed source was transferred to another appropriately licensed entity or transferred for disposal, and if the HDR source transfer took place within 6 months of the source's receipt under your license, you may be able to use the leak test provided by the vendor that accompanied the source initially. If the final transfer took place 6 months or more after the source was initially received by you, then a leak test must have been performed. Please use 10 CFR 35.67 to conduct the leak test and 10 CFR 35.2067 to prepare the leak test record to be submitted to us.

When we are able to approve the removal of the HDR source and device authorizations from your license, we will also make the correlated changes to remove

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the location of use for HDR, the authorized user and the authorized medical physicist.

2. Please also follow the response instructions above regarding your request to remove the location of use at 9501 N. Oak Trafficway, Kansas City, Missouri from your license, as detailed in the April letter. We were unable to approve this request because the information submitted was insufficient to complete our review.
 - a. Your April letter states "All the sealed sources were removed from hot lab on 2/5/19." However, your letter does not indicate where or who the sealed sources were removed to. No inventory or final leak tests were provided either, in accordance with 10 CFR 35.67 and 35.2067.

If sealed sources were transferred or disposed of as part of the decommissioning of this location of use, please provide a copy of the final inventory and leak test for each sealed source, immediately prior to transfer; a copy of an acknowledgment of receipt from the licensed entity who took possession of each source, with an appropriate level of detail to identify the source and recipient; the recipient's NRC license no., broad scope license, MML no. or, if the recipient/transferee is an Agreement State licensee, please include a current copy of its license that clearly shows it is licensed to receive your sources. Please be sure to include all the information required by 10 CFR 35.67 and 35.2067.

- b. Under "Equipment and Device Removal" the April letter states, in part, that "RAM sharp container, waste and packages ready for returning are still stored in the hot lab, but they are all being decayed for more than 200 days. (Tc-99m half life is 6 hours)"

We cannot approve the release for unrestricted use of your facility so long as any remnant of licensed materials remain. Please explain why you are holding waste materials for decay – in – storage ("DIS") for 200 days.

Please provide a copy of the final waste disposal records for these materials after you have completed DIS for them and conducted the surveys required by 10 CFR 35.92. These records must include all the information required by 10 CFR 35.2092. Please only send the final waste disposal records.

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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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.

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>.

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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. 24-18628-01
Docket No. 030-13966

Enclosure:

Amendment No. 53