



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

NOV 15 1979

Ref: SA/ECA

Mr. Joe Ward, Chief  
Radiologic Health Section  
Department of Health  
714 P Street, Room 498  
Sacramento, California 95814

Dear Mr. Ward:

Identified below are licensees in California who were confirmed to have received Xe-133 shipments from Oak Ridge National Laboratory (ORNL) during fiscal year 1978. ORNL is, among others, a non-FDA-approved Xe-133 supplier; i.e., it does not hold an FDA-issued IND or NDA for supplying Xe-133. These State licensees were mentioned by Nuclear Pharmacy, Inc's. (NPI) response to an NRC Notice of Violation.

Palmdale General Hospital  
Palmdale, California

Pleasant Valley Hospital  
Camarillo, California

St. John's Hospital  
Oxnard, California

St. Vincent Medical Center  
Los Angeles, California

It was noted during NRC's investigation of the NPI violation case, that apparently some ambiguity exists in the NPI License Condition No. 15 (Standard License Condition No. 55) which reads as follows:

Radioactive gases as free gas or in solution, to be administered to humans, shall be procured from a supplier who distributes the product indicated for human use in accordance with the Food, Drug and Cosmetic Act.

Further clarification or even replacement of this License Condition for involved licensees is expected soon.

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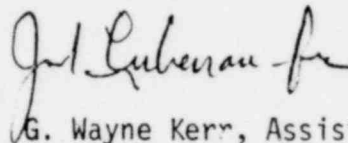
Mr. Joe Ward

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This is a request for you to review the identified licenses to determine if the above License Condition in the same wording, or similar wording, is used, and notify us of the results of your findings.

Based on your review of the licenses you may want to initiate enforcement action against the licensees.

Sincerely,

A handwritten signature in cursive script, appearing to read "G. Wayne Kerr".

G. Wayne Kerr, Assistant Director  
for State Agreements Program  
Office of State Programs

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