

24-19486-02  
030-18009

VOID SHEET

TO: License Fee Management Branch  
FROM: D. A. Piskura  
SUBJECT: VOIDED APPLICATION

Control Number: 396043  
Applicant: The Radiarium Corp.  
Date Voided: 02/22/94  
Reason for Void: \_\_\_\_\_

Refer to telephone conversation record. Licensee voluntarily  
withdrew the request in light that his program does not meet the  
definition of "institution" as stated in Part 35

VOIDED AFTER REVIEW!!

D. A. Piskura 2/23/94  
Signature Date

Attachment:  
Official Record Copy of  
Voided Action

FOR LFMB USE ONLY

Final Review of VOID Completed:

- Refund Authorized and processed
- No Refund Due
- Fee Exempt or Fee Not Required

150146

Comments: \_\_\_\_\_

Log completed   
Processed by: SAC  
3/10/94

9403220117 940223  
PDR ADDCK 03018009  
C PDR

38 ML  
DH

BETWEEN:

LICENSE FEE MANAGEMENT BRANCH, ARM  
AND  
REGIONAL LICENSING SECTIONS

(FOR LFMS USE)  
INFORMATION FROM LTS

PROGRAM CODE: 02200  
STATUS CODE: 0  
FEE CATEGORY: 7C  
EXP. DATE: 19980831  
FEE COMMENTS:  
DECOM FIN ASSUR REQDTN

LICENSE FEE TRANSMITTAL

A. REGION

1. APPLICATION ATTACHED  
APPLICANT/LICENSEE: RADIARIUM CORPORATION, THE  
RECEIVED DATE: 931112  
DOCKET NO: 3018009  
CONTROL NO.: 396043  
LICENSE NO.: 24-19486-02  
ACTION TYPE: AMENDMENT

2. FEE ATTACHED  
AMOUNT: \$500<sup>00</sup>  
CHECK NO.: ~~2485~~

3. COMMENTS

SIGNED P. Reichart  
DATE 11-15-93

B. LICENSE FEE MANAGEMENT BRANCH CHECK WHEN MILESTONE 03 IS ENTERED  1)

1. FEE CATEGORY AND AMOUNT: 7C \$500<sup>00</sup>

2. CORRECT FEE PAID. APPLICATION MAY BE PROCESSED FOR:  
AMENDMENT   
RENEWAL   
LICENSE

3. OTHER \_\_\_\_\_

SIGNED SC  
DATE 11/22/93

NOV 19 11:15

RECEIVED

NOV 26 1993

REGION III

# The RADIARIUM CORPORATION

THE RADIARIUM AT INDEPENDENCE  
17525 Medical Center Parkway  
Independence, Missouri 64057  
(816) 373-2700

THE RADIARIUM AT OVERLAND PARK  
10500 Mastin  
Overland Park, Kansas 66212  
(913) 492-3822

November 8, 1993

U.S. Nuclear Regulatory Commission  
Region III  
799 Roosevelt Road  
Glen Ellyn, Illinois 60137-5927

Attn: Deborah A. Piskura  
Nuclear Materials Licensing Section

Dear Ms. Piskura:

Please amend our NRC Licenses No. 24-19486-01 (Teletherapy) and No. 24-19486-02 (Brachytherapy) to change the status from single physician practice to small institution. It was thought that this had been accomplished when the previous amendments changed the name of the license from the physician, Richard A. Morrison, M.D., to the Radiarium Corporation. As you may recall, upon my inquiry regarding the change in status, you informed me that for the Radiarium to be considered a small institution, it would need to establish a Radiation Safety Committee.

We will issue the model Radiation Safety Committee Charter and Radiation Safety Officer Delegation of Authority that was published in Appendix F to Regulatory Guide 10.8, Revision 2. The Radiation Safety Officer will continue to be Richard A. Morrison, M.D. and the Teletherapy Physicists will continue to be Peter J. Debus, M.S. and Edmund Cytacki, Ph.D.

A check for \$500.00 is included to cover the fee for processing this amendment request. If you have any questions regarding this request, please call me at (816) 373-2700.

Sincerely yours,



Richard A. Morrison, M.D.  
Director

RAM/jt

Log	Nov 11 III
Remitter	
Check No.	2485
Amount	\$500.00
Fee Category	7C
Type of Fee	amendment
Date Check Rec'd	11/19/93
Date Completed	11/22/93
By:	SC

RECEIVED

NOV 12 1993

REGION III

CONTROL NO. 396043

THE RADIARIUM  
Independence, Missouri

RADIATION SAFETY COMMITTEE CHARTER

Charge: The Committee shall:

1. Ensure that licensed material will be used safely. This includes review as necessary of training programs, equipment, facility, supplies, and procedures;
2. Ensure that licensed material is used in compliance with NRC regulations and the institutional license;
3. Ensure that the use of licensed material is consistent with the ALARA philosophy and program;
4. Establish a table of investigational levels for individual occupational radiation exposures; and
5. Identify program problems and solutions.

Responsibilities: The Committee shall:

1. Be familiar with all pertinent NRC regulations, the license application, the license, and amendments;
2. Review the training and experience of the proposed authorized users, the Radiation Safety Officer (RSO), and the teletherapy physicist to determine that their qualifications are sufficient to enable the individuals to perform their duties safely and are in accordance with the regulations and the license;
3. Review on the basis of safety and approve or deny, consistent with the limitations of the regulations, the license, and the ALARA philosophy, all requests for authorization to use radioactive material within the institution;
4. Prescribe special conditions that will be required during a proposed method of use of radioactive material such as requirements for bioassays, physical examinations of users, and special monitoring procedures;
5. Review quarterly the RSO's summary report of the occupational radiation exposure records of all personnel, giving attention to individuals or groups of workers whose occupational exposure appears excessive;

## RADIATION SAFETY COMMITTEE CHARTER

Responsibilities (continued):

Page Two

6. Establish a program to ensure that all persons whose duties may require them to work in or frequent areas where radioactive materials are used (e.g., nursing, security, housekeeping, physical plant) are appropriately instructed as required in S 19.12 of 10 CRF Part 19;
7. Review at least annually the RSO's summary report of the entire radiation safety program to determine that all activities are being conducted safely, in accordance with NRC regulations and the conditions of the license, and consistent with the ALARA program and philosophy. The review must include an examination of records, reports from the RSO, results of NRC inspections, written safety procedures, and the adequacy of the management control system;
8. Recommend remedial action to correct any deficiencies identified in the radiation safety program;
9. Maintain written minutes of all Committee meetings, including members in attendance and members absent, discussion, actions, recommendations, decisions, and numerical results of all votes taken; and
10. Ensure that the byproduct material license is amended if required prior to any changes in facilities, equipment, policies, procedures, and personnel.

### Administrative Information

1. The Committee shall meet as often as necessary to conduct its business but not less than once in each calendar quarter.
2. The membership of this committee shall consist of at least three members, and will include at least the following individuals:
  - a. The Radiation Safety Officer,
  - b. an authorized user for each type of use permitted by the license - the user may be the R.S.O.
  - c. a representative of management, who is neither an authorized user nor an R.S.O.
  - d. A representative of the Radiarium's nursing staff,
  - e. adjunct members may be appointed by management.

CONTROL NO. 396043

## RADIATION SAFETY COMMITTEE CHARTER

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The names and qualifications of the committee members will be documented in the committee's records, will be updated as necessary, and will be available for inspection by the NRC. The license will not be amended each time the committee membership changes.

3. To establish a quorum, one-half of the Committee's membership, including the R.S.O. and the management representative, must be present.
4. To the extent that they do not interfere with the mission of the Committee, management may assign other responsibilities such as x-ray radiation safety, quality assurance oversight, and research project review and approval.



MODEL DELEGATION OF AUTHORITY

M E M O

TO: All Employees  
FROM: Chief Executive Officer  
SUBJECT: Delegation of Authority

\_\_\_\_\_ has been appointed Radiation Safety Officer and is responsible for ensuring the safe use of radiation. The Radiation Safety Officer is responsible for managing the radiation safety program; identifying radiation safety problems; initiating, recommending, or providing corrective actions; verifying implementation of corrective actions; and ensuring compliance with regulations. The Radiation Safety Officer is hereby delegated the authority necessary to meet those responsibilities.

The Radiation Safety Officer is also responsible for assisting the Radiation Safety Committee in the performance of its duties and serving as its secretary.

Minutes

The minutes of each Radiation Safety Committee Meeting must include:

- a. the date of the meeting;
- b. the members present;
- c. the members absent;
- d. summary of the deliberations and discussions;
- e. recommended actions and numerical results of all ballots; and
- f. ALARA program reviews described in Part 35.20 (c).



FEB 25 1994

The Radiarium Corporation  
Attn: Richard A. Morrison, M.D.  
Radiation Safety Officer  
17525 Medical Center Parkway  
Independence, MO 64057

Dear Dr. Morrison:

This refers to your letter dated November 8, 1993, requesting amendments to your NRC License Nos. 24-1986-01 and 24-19486-02 and the telephone conference on February 22, 1994, between you and Mr. John Madera and Ms. Deborah Piskura of this office. We discussed your intent to be reclassify your program code from private practice physician to medical institution. During our teleconference, we also discussed the NRC's definition of medical institution (refer to 10 CFR 35.2). In order for an organization to meet the criteria of a medical institution as defined by the NRC, it must satisfy the following criteria:

1. Practice at least three different medical specialties. Examples would include radiology, pathology, immunology, and cardiology. Note that the specialties would not be limited to use of byproduct material; and
2. Employ more than one practicing physician. The physicians may not all be authorized physician users for byproduct material.

Based on the information in your submittal and our telephone conversation, we do not have enough information to grant your request at this time. Therefore as mutually agreed we have voided your request. It is our understanding that you will also contact our License Fee & Debt Collection Branch for information regarding fees for "not-for-profit" organizations.

If you can provide additional information which demonstrates that the Radiarium Corporation falls under the definition of a medical institution, you may submit this information as additional information to Control Numbers 96042 and 96043, within one year, and we will continue our review.

If you have any questions or require clarification on any of the information stated above, you may contact us at (708) 829-9887.

Sincerely,  
Original Signed by  
Deborah A. Piskura  
Health Physicist  
Nuclear Materials Licensing Section

RIII  
  
Piskura  
02/24/94

# CONVERSATION RECORD

TIME

10:45

DATE

2/22/94

TYPE

VISIT

CONFERENCE

TELEPHONE

INCOMING

OUTGOING

ROUTING

NAME/SYMBOL INT

Location of Visit/Conference: *w/ John Madara*

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

*Dr. Morrison*

ORGANIZATION (Office, dept., bureau, etc.)

*The Radiarium*

TELEPHONE NO.

*816-373-2700*

SUBJECT

*CN 96042 & 96043*

*Lic. No. 24-19486-01 and -02*

SUMMARY

*We spoke with Dr. Morrison about the 2 amendment requests to change his program from private practice physician (02200) to medical institution (02120). According to my conversations with Janet Schleuter of HQ the Radiarium doesn't meet the definition of an institution (as in Part 5) because (1) they only practice one medical specialty and (2) they have only one physician. Janet relayed to me that a medical institution has the following criteria:*

*1) Must practice at least 3 different medical specialties - pathology, radiology, cardiology... Dr. Morrison practices within the field of radiology only.*

*2) Must have more than 1 physician practicing different medical specialties - Dr. Morrison is the only physician at the Radiarium.*

ACTION REQUIRED

NAME OF PERSON DOCUMENTING CONVERSATION

SIGNATURE

DATE

ACTION TAKEN

SIGNATURE

*R. P. Stina*

TITLE

*Health Physicist*

DATE

*2/22/94*

Dr. Morrison understood why his business did not fit our definition of an institution and we agreed to void the amendments.

He explained that he is filing for "not-for-profit" status with the IRS. I advised him to pass this information on to our fees group for possible relief from certain licensing fees.