

JOSÉ L. FERNÁNDEZ, M.D.

Oftalmólogo  
RONCE DE LEÓN 160  
SAN JUAN, PUERTO RICO 00901

Telephone 725-0601

November 10, 1990

William E. Cline, Chief  
Nuclear Material Safety and  
Safeguards Branch  
Division of Radiation Safety  
and Safeguards

REPLY TO A NOTICE OF VIOLATION (DOCKET No. 030-31873)

Dear Mr. Cline:

I am requesting an extension to my response time as I have requested but have not received the certification of training and experience for physicians wishing to use Strontium-90 Eye Applicators. Thus I have been unable to send the completed application forms. In addition, I am missing form NRC-313M, Supplement B. Preceptor Statement and would appreciate if you could mail 2 copies to me at your earliest convenience. My father who is 81 and lives in Puerto Rico has been extremely ill. I live in New York, New York and practice both in New York City and in San Juan, Puerto Rico which are additional reasons I have for not being able to complete the application for a new license.

The Strontium -90 Eye applicator was purchased for the Instituto Oftalmico de Puerto, Inc, Hospital, by Dr. Luis Morales, a former physician who worked at the hospital, from Technical Operations Incorporated, Arlington 74, Mass.. The unit is named Beta Therapy Source M1. It consisted when purchased on 9/58 of a Sr-Y 90 Eye Applicator unit with the following measurements: 0.050 curies, 0.022 rentgens/hr at contact on 9/23/58, capsule style M-21.

When the hospital voluntarily closed, on Dec 31, 1989, the corporation "Instituto Oftalmico de Puerto Rico, Inc". which still exists but is inactive remained as the owner of the unit, one of its assets. I hold the majority of shares in the corporation, and as President of the inactive corporation I am answering the notice of violation which has been personally addressed to me.

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REG2 LIC30

FDC

*LEON*  
11

Dr. Guillermo Ferrández Dec 17/68

Hablé este asunto con  
el Sr. Jones y me explicó  
que hay ~~varios~~ estados  
que son ~~agreement~~ state,  
y, es más, que pueden  
expedir licencia que  
valen al igual q. una  
de Nuclear Regulatory Com-  
mission.

Se lee lo que decía  
la licencia al Dr. Rafael  
Covero que también  
incluye al Dr. D. F.  
Ferrández y me dijo  
que a base de esto  
el hospital puede  
considerar favorable-  
mente el expedir la  
autorización para usar  
el equipo del hospi-  
tal.

Me indicó también

que en el hospital  
se puede organizar  
un Isotope Committee  
para conceder autori-  
zación a médicos que  
reunan ciertos requi-  
sitos que el comité  
establezca, entre  
ellos el tener una  
certificación del di-  
rector del programa  
de adiestramiento.

Hablaremos más,  
tu y yo, sobre esto.

Kenneth

*F. L. (med) Domini*

RADIOACTIVE MATERIALS LICENSE

*Treaty Committee del hosp*  
Pursuant to the New York City Charter and Article 175 of the New York City Health Code, and in reliance

on statements and representations heretofore made by the licensee designated below, a license is hereby issued authorizing such licensee to transfer, receive, possess and use the radioactive material(s) designated below; and to use such radioactive materials for the purpose(s) and at the place(s) designated below. This license is subject to all applicable rules, regulations, and orders now or hereafter in effect of all appropriate regulatory agencies and to any conditions specified below.

AMENDMENT NUMBER 5

In accordance with application dated May 31, 1983, from Rafael

Cavero, M.D.,

*Ex - licencia para - tener practica  
de un del instrumento - certificado*

1. Name *del Dr. Cavero*  
Rafael Cavero, M.D.  
41 West 96th Street  
New York, New York 10025

2. Address

*no documento -  
no documento en caso de radacion*

3. License number 1634-1 is hereby amended in its entirety to read as follows

4. Expiration date August 31, 1988

5. Reference number *de radacion*

6. Radioactive materials (Element and mass number)

(A) Strontium 90

*y en caso de instrumento (Dr. Cavero)*

7. Chemical and/or physical form

(A) Sealed Source (New England Nuclear Corporation) (Model #B450)

*en caso de seguridad en*

8. Maximum quantity licensee may possess at any one time

(A) 100 Millicuries

*licencia de cambio de radacion*

CONDITIONS

9. Authorized use. (Unless otherwise specified, the authorized place of use is the licensee's address stated in Item 2 above.)

*en el aplicador de Strontium 90 (ver la*

(A) To be used in for the treatment of superficial conditions of the eye.

10. (A) The licensee shall comply with the provisions of Article 175 of the New York City Health Code, entitled "Radiation Control."

(B) Failure to pay the fee for inspection of a radioactive material site upon notification from the Department will result in termination of this license.

11. Radioactive material shall be used only by Rafael Cavero, M.D.

12. Radioactive material as sealed source shall not be opened by the licensee.

13. (A) 1. Each sealed source containing radioactive material, other than Hydrogen 3, with a half-life greater than thirty days and in any form other than gas shall be tested for leakage and/or contamination at intervals not to exceed six (6) months. In the absence of a certificate from a transferor indicating that a test has been made within the (6) months prior to the transfer, the sealed source shall not be put into use until tested.

2. Notwithstanding the periodic leak test required by this con-

Date \_\_\_\_\_

FOR THE NEW YORK CITY DEPARTMENT OF HEALTH

by *Peny G. Letourge*

OCT 12 1983

*copias y el uso*

CITY OF NEW YORK  
RADIOACTIVE MATERIALS LICENSE

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AMENDMENT NUMBER-6

LICENSE NUMBER-1634-1

Rafael Cavero, M.D.  
41 West 96th Street  
New York, New York 10025

In accordance with letter dated July 3, 1984, from Rafael Cavero, M.D., License Number 1634-1 is hereby amended to read as follows:

(I) To correct item 8(A) and to read as follows:

6. Radioactive materials	7. Chemical and/or physical form	8. Maximum quantity licensee may possess at any one time
(A) Strontium 90	(A) Sealed Source (New-England Nuclear) (Corp. Model #B450)	(A) 150 Millicuries

(II) To correct condition #11 and to read as follows:

11. Radioactive material shall be used only by Rafael Cavero, M.D.

Jose L. Fernandez, M.D., may also use the Strontium 90 Eye applicator listed in item #6(A)

Date

RC-11(7/80) (COL-6ACH)

FOR THE NEW YORK CITY DEPARTMENT OF HEALTH  
by Richard P. Letzinger, for  
Perry A. Letsinger, Chief  
Radioactive Materials Division