

DCD/DCB

NOV 30 1990

Southwestern Indiana Cancer Center
ATTN: Saiyid M. Shah, Ph.D.
Radiation Safety Officer
906 South Hebron
P.O. Box 15040
Evansville, IN 47716-0040

License No. 13-25945-01
Docket No. 030-30712

Gentlemen:

This refers to the routine safety inspection conducted by Mr. D. R. Gibbons of this office on November 13 and 16, 1990 of activities authorized by NRC Byproduct Material License No. 13-25945-01 and to the discussion of our findings with you and selected members of your staff at the conclusion of the inspection.

The inspection was an examination of activities conducted under your license as they relate to radiation safety and to compliance with the Commission's rules and regulations and with the conditions of your license. The inspection consisted of a selective examination of procedures and representative records, observations, independent measurements, and interviews with personnel.

Certain of your activities dealing with unauthorized transfer of licensed material appeared to be in violation of NRC requirements. Specifically, approximately 300 pounds (136 kilograms) of depleted uranium listed under your NRC License No. SUB-1523 of Region I was removed from its authorized location to a storage area under your control in Evansville, Indiana. The depleted uranium was used in a Varian Clinac linear accelerator, Model Clinac 6X. We have decided not to cite you for this violation based upon the following:

1. You notified our Region I office by letter dated September 24, 1990 regarding the removal.
2. You submitted an amendment on October 23, 1990 to the Region III office requesting that the material be listed on NRC License No. 13-25945-01.
3. The depleted uranium is properly stored, controlled and is properly posted.

While we have decided not to cite you for this violation, it should be understood that no activity is in accord with NRC regulatory requirements unless and until it is specifically authorized in an NRC license. Steps should be taken to ensure that NRC-licensed materials are hereafter possessed and used only as authorized by our license. We will examine this matter during a future inspection.

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In addition to the above areas, the inspector examined actions described in your letter dated October 3, 1989, regarding apparent violations found during our August 30, 1989 inspection. We have no further questions regarding these matters.

During this inspection, certain of your activities appeared to be in violation of NRC requirements, as specified in the enclosed Notice. A written response is required.

In accordance with 10 CFR 2.790 of the Commission's regulations, a copy of this letter, the enclosures, and your response to this letter will be placed in the NRC Public Document Room.

The responses directed by this letter and the accompanying Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

We will gladly discuss any questions you have concerning this inspection.

Sincerely,

William H. Schultz, Chief
Nuclear Materials Safety
Section 1

Enclosure: Notice of Violation

cc w/enclosure:
DCD/DCB (RIDS)

RIII
[Signature]
Gibbons/sd

RIII
WHS
Schultz
11-30-89