

March 22, 2022

Licensing Assistance Teams  
c/o Mr. Shawn Seeley  
Nuclear Materials Safety Branch  
U.S. Nuclear Regulatory Commission  
Region I  
2100 Renaissance Blvd, Suite 100  
King of Prussia, PA 19406-2713

Administration

2500 Hospital Drive  
Martinsburg, WV 25401  
Phone / 304-264-1249  
Fax / 304-264-1340

RE: **RAM license request to remove current RSO and add a new RSO and Authorized User**

University Healthcare- Berkeley Medical Center  
**47-15501-01**

Dear Mr. Seeley:

Below is the response to your additional questions regarding our RAM license amendment request:

1. Will Dr. Misailidis be kept on as an authorized user?  
*No, please remove Dr. Misailidis as an AU as well.*
2. You have requested that Chad Mitchell, Ph.D. be named Radiation Safety Officer (RSO) on the license. It appears that this individual may be an outside consultant\contractor. If this is so, in support of this request, please address the following:  
*Dr. Mitchell is a board-certified medical physicist with Krueger-Gilbert Health Physics, ("KGHP"), which currently has a staff of 27 health/medical physicists and has been providing medical/ health physics services in the Mid-Atlantic region for over 30 years. KGHP has provided medical physics consulting services to Berkeley Medical Center for more than 5 years.*
  - A. Describe the relationship that will exist between the consultant-RSO and the institutional management regarding expenditure of funds to facilitate the objectives of your radiation safety program and related regulatory requirements.  
*Dr. Mitchell has been granted a broad delegation of authority from the VP of Patient Care Services and Chief Nursing Officer of Berkeley Medical Center, including but not limited to "the managing of radiation protection program; identifying radiation protection problems; initiating, recommending, or providing corrective actions; verifying implementation of corrective actions; stopping unsafe activities; and ensuring compliance with regulations." Dr. Mitchell is granted "the authority necessary to meet those responsibilities, including prohibiting the use of radioactive material by employees who do not meet the necessary requirements and shutting down operations where justified by radiation safety." Given this broad mandate, Dr. Mitchell has the appropriate authority to manage the radiation safety program and recommend actions to senior administrators at Berkeley.*  
*In addition, Dr. Mitchell is in direct and frequent contact with Berkeley administrators, including the Director of Imaging and regarding any matters, including expenditures, required to maintain compliance with our radiation safety program and related regulatory*

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*requirements. His required participation at the quarterly radiation safety committee meeting provides another forum for any discussion of expenditures to maintain compliance. To date, we have identified no issues with respect to expenditure of funds as recommended by the RSO.*

- B. Identify any other commitments of the consultant-RSO for other NRC or Agreement State licensed facilities, along with a description of how the consultant-RSO will allocate time to permit the performance of the duties of the RSO as described in the regulations. State the consultant-RSO's minimum amount of on-site time (hours per week).

*While Dr. Mitchell services other KGHP clients as needed, he (or a member of his KGHP physics team) plans to spend on average 1 day per week on-site and devote additional time off-site (estimated to be 6-8 hours each month) to carry out his responsibilities as RSO for Berkeley. His responsibilities will be enumerated in the agreement with KGHP and there are processes in place for additional time to be approved as necessary to fulfill these responsibilities. Dr. Mitchell's other commitments for KGHP have not caused any issue to date, nor do we anticipate that they will cause any issues going forward, with respect to the execution of his responsibilities under the agreement.*

- C. Appoint an in-house representative who will serve as the point of contact during the RSO's absence. This person may be allowed to assist the consultant RSO with limited authority.

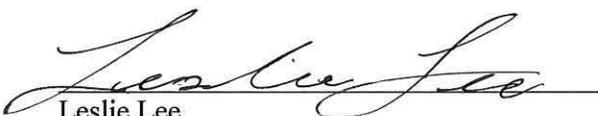
*As RSO, Dr. Mitchell works very closely with the Director of Imaging as well as the individual nuclear medicine technologists. The RSO's main point of contact is the Director of Imaging Services, Mrs. Leslie Lee, who is an on-site, full-time employee. Mrs. Lee is kept informed and fully aware of program needs and status.*

- D. Describe the overall availability of the consultant-RSO to respond to questions or operational issues that arise during the conduct of your radiation safety program and related regulatory requirements. Specify the maximum amount of time it will take the RSO to arrive at the facility in the event of an emergency that requires his presence.

*Dr. Mitchell is available to Berkeley 24 hours per day, 7 days a week via mobile phone. His contact information is made readily available to the technical staff should there be any questions or incidents regarding radiation. As noted above, KGHP employs 27 health/medical physicists and a full-time administrative staff to support the RSO and assist Berkeley as necessary. KGHP provides a back-up RSO to cover radiation related issues should the RSO be unavailable by phone or e-mail (e.g. vacation, medical leave, etc) and the relevant contact information is made available to the staff. He and the KGHP team are available as necessary to provide support, and in the event of an emergency, the RSO (or his designee) can be onsite within 2-3 hours.*

If additional information is needed, please contact our Medical Physics Consultant, Ms. Dennise Magill, of Krueger-Gilbert Health Physics at (719) 362-7747 or [dmagill@kruegergilbert.com](mailto:dmagill@kruegergilbert.com).

Sincerely,



Leslie Lee  
 Director of Radiology  
 WVU Medicine East