

**WATERBURY HOSPITAL HEALTH CENTER**  
**64 Robbins Street**  
**Waterbury, CT 06721**

*September 6, 2005*

U. S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20566  
US Nuclear Regulatory Comm

REPLY TO A NOTICE OF VIOLATION  
License No.: 06-02406-01  
Docket No.: 03001251  
Inspection Date: 6/30/05  
Your Letter dated: August 23, 2005

To Whom It May Concern:

The following represents this hospital's response to the above referenced Notice of Violation letter:

Reason For Violation

The 250 pounds of depleted uranium was transferred to the Florida Veterinary Specialists, Tampa Florida, License number G0885-1. This states "General License For Depleted Uranium", and specifically states "300 lbs (approx)" and "Varian Clinac 4/100 shielding for linear accelerator collimator". Being unaware of the nuances of Florida licensing, we believed that their specific notation about the linear accelerator shielding we transferred was their method for allowing a valid license.

Actions Taken

We were made aware of the problem by your office, and participated in telephone conversations with your staff. This culminated in a conference call on 7/13/05 with Mr Randolph Rangland, Sr. Health Physicist, Ms. Pamela Henderson, Branch Chief of your staff and included from our hospital Mr. Paul Hefernan, Vice President, Mr Carmen Serafino, Manager for Diagnostic Imaging, Mr Juris Patrylak, Supervisor for Nuclear Medicine, Mr Frank Vensel, Bio-Engineering Supervisor, and Mr. Gerald Randall, RSO. It was explained to us at that time that the linear accelerator in question was manufactured prior to Varian receiving authorization to manufacture and distribute medical devices containing depleted uranium for use under a general license. It was also explained that possibly the state of Florida was also not clear on the fine distinctions of this license condition.

We were then informed that we would be cited for a level IV violation, but we would not be required to try and retrieve the accelerator. Therefore, since we have no other linear accelerators, and no remaining depleted uranium, we reviewed the information given to us and will apply it if this or a similar issue is encountered in the future.

Corrective Actions to Avoid Future Violations

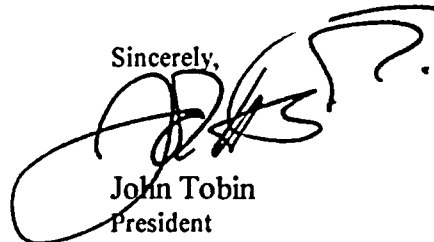
The information supplied to us concerning General and Specific licenses has been reviewed and appreciated by us and will be utilized in the future where applicable.

Date of Full Compliance

7/13/05

Please let me know if you require any additional information.

Sincerely,

  
John Tobin  
President

Cc: Pamela J. Henderson, Chief  
Nuclear Materials Safety Branch 1  
Division of Nuclear Materials Safety  
U.S. Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA 19406-1415

Department of Environmental Protection  
Radiation Division  
79 Elm Street  
Hartford, CT 06106-5127  
Eric Hyson, MD, Chairman Rad. Safety Committee  
Gerald J. Randall, MS, RSO

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