

AUG 27 1992

License No. 08-03604-03
Docket No. 030-01325
Control No. 115634

Washington Hospital Center
ATTN: David M. Dickey, Director
Biomedical Engineering
110 Irving Street, N.W.
Washington, D.C. 20010

Dear Mr. Dickey:

Please find enclosed an amendment to your NRC Material License. This amendment was requested by your letter dated October 7, 1991. We would like to address your complaints concerning the delay in processing this amendment.

In your request, you have asked to use this device in a room in which it appears necessary to use portable shields to reduce dose rates to the levels required by 10 CFR 20.105 (enclosed), in particular in the area around the doorway. In order to satisfy the requirements of 10 CFR 20.1301 at the time those requirements become effective, it also might be necessary to provide additional shielding for the offices above the facility. In January, 1992, you were told that the NRC Region I office did not feel temporary shielding was appropriate for this type of device and were asked if you would consider using the device in one of your linear accelerator rooms which is adequately shielded, which you did not wish to do. Region I then suggested that you consider temporarily locating the device in one of the accelerator rooms while NRC Headquarters reviewed your request. We also discussed with you the possibility of referring patients who needed treatment with this device to other nearby facilities until this issue was resolved. We note that Georgetown University Medical Center in Washington, D.C. is currently authorized to treat patients using a high dose rate remote afterloading device.

The NRC Region I feels we made every attempt to allow Washington Hospital Center to obtain and use the high dose rate remote afterloading device while still fulfilling its primary mission of protecting public health and safety. We do not feel, however, that we could authorize the use of this device before review of Washington Hospital Center's proposal by NRC Headquarters unless it was located in a proper, permanently shielded facility. The dose rate at one foot from the unshielded 10 curie source of this device is 52 R/hr; this dose rate would result in an overexposure in less than two minutes.

ENCLOSURE

9212070340 921118
PDR ADOCK 03001325
C PDR

Washington Hospital Center

2

NRC Headquarters has now completed its review and has advised the Region that facilities for high dose rate remote afterloading devices must employ permanent shielding to meet the requirements of 10 CFR Part 20. With appropriate safeguards, Washington Hospital will be allowed to use portable shields on a temporary basis pending installation of permanent shielding. Based on the results of NRC Headquarters' review and your subsequent failure to commit to a date after which portable shields would not be needed, we have added Condition 20 to your license requiring you to install permanent shielding by February 27, 1993.

Please review this and the remainder of your license carefully and be sure that you understand all conditions. If there are any errors or questions, please notify Region I Materials Licensing Section at (215) 337-5093 so that we may provide appropriate corrections and answers.

Please be advised that you must conduct your program involving licensed radioactive material in accordance with the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, please note the items in the enclosed "Requirements for Materials Licensees".

Since serious consequences to employees and the public can result from failure to comply with NRC requirements, the NRC expects licensees to pay meticulous attention to detail and to achieve the high standard of compliance which the NRC expects of its licensees.

In your letter dated August 21, 1992, you state that, if you do not receive a response within 14 calendar days, you will assume the amendment is approved. The NRC will not allow you to consider the absence of response as tantamount to approval for any action; the amendment is not approved until the license is signed and dated. Please be advised that any violation resulting from such an assumption could be considered willful.

You will be periodically inspected by the NRC. A fee may be charged for inspections in accordance with 10 CFR Part 170. Failure to conduct your program safely and in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with the NRC will result in prompt and vigorous enforcement action against you. This could include issuance of a notice of violation or, in the case of very serious violations, an imposition of civil penalty or an order suspending, modifying, or revoking your license as specified in the General Policy and Procedures for NRC Enforcement Actions, 10 CFR Part 2, Appendix C.

Washington Hospital Center

3

We wish you success in operating a safe and effective licensed program.

Sincerely,

Original Signed By:
Jenny Johansen

Jenny M. Johansen, Chief
Medical Licensin_ Section
Division of Radiation Safety
and Safeguards

Enclosures:

1. Amendment 23
2. Requirements for Materials Licensees
3. 10 CFR Parts 2, 20, and 170

cc: Rosemarie E. Clive, Executive Director, Cancer Institute
John J. Lynch, M.D., Associate Medical Director, Cancer Institute
Juliana Simmons, M.D., Radiation Oncology, Cancer Institute