

MATERIALS LICENSE

Amendment No. 02

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 36, 39, 40, and 70, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

302347

Licensee		In accordance with letter dated February 18, 1997	
1. Riverhills Healthcare, Inc. Corporate Office		3. License Number 34-21422-02 is amended in its entirety to read as follows:	
2. 2368 Victory Parkway Suite 600 Cincinnati, OH 45206		4. Expiration Date April 30, 1999	
		5. Docket or Reference No. 030-33495	
6. Byproduct, Source, and/or Special Nuclear Material	7. Chemical and/or Physical Form	8. Maximum Amount that Licensee May Possess at Any One Time Under This License	
A. Cobalt-60	A. Sealed source model designation AECL C-146 or C-151	A. 7,200 curies per source	
B. Depleted uranium	B. Solid metal	B. 137 kilograms	
9. Authorized Use:			
A. For storage only incident to disposal.			
B. For shielding in a stored teletherapy unit.			

CONDITIONS

10. Location of Use: Room 1404, Suite 14, Medi Center North, 10550 Montgomery Road, Montgomery, Ohio.
11. Radiation Safety Officer: Elizabeth Levick, M.D.
12. Teletherapy Physicists: James G. Kereiakes, Ph.D.
Arthur Moran, Ph.D.
Barbara Bennett, M.S.
John Freshcorn, M.S.
13. Authorized Users: Jennifer Gerson, M.D.
Elizabeth Levick, M.D.



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MATERIALS LICENSE
SUPPLEMENTARY SHEET

License Number

34-21422-02

Docket or Reference Number

030-33485

Amendment No. 02

14. The licensee is exempted from decommissioning financial assurance requirements for possession of licensed material in sealed sources in quantities greater than the limits in 10 CFR 30.35(d) for the purpose of source changes only. This exemption is granted for no more than 30 days for any one source change.
15. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below, except for minor changes in the medical use radiation safety procedures as provided in 10 CFR 35.31. The Nuclear Regulatory Commission's regulations shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the regulations.
- A. Applications received March 23, 1994 and dated March 31, 1994; and
- B. Letters dated August 22, 1983, March 31, 1994 and February 18, 1997.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date MAR 20 1997

By

[Signature]
Nuclear Materials Licensing Branch, Region III

COPY

BETWEEN:

License Fee Management Branch, ARM
and
Regional Licensing Sections

(FOR LFMS USE)
INFORMATION FROM LTS

1997 FEB
Program Code: 02300
Status Code: 0
Fee Category: 7A 2B
Exp. Date: 20040430
Fee Comments:
Decom Fin Assur Req'd: N

LICENSE FEE TRANSMITTAL

A. REGION

1. APPLICATION ATTACHED

Applicant/Licensee: RIVERHILLS HEALTHCARE INCORPORATED
Received Date: 970221
Docket No: 3033495
Control No.: 302347
License No.: 34-21422-02
Action Type: Amendment

2. FEE ATTACHED

Amount: 900
Check No.: 77075

3. COMMENTS

Signed
Date

D. Hersey
2-23-97

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered / ☒)

1. Fee Category and Amount: ~~7A 2B~~ 3P \$300

2. Correct Fee Paid. Application may be processed for:

Amendment ☒
Renewal ☐
License ☐

3. OTHER

Signed
Date

AC
2/26/97

Downgrade

MAR 06 1997

Log	<i>Feb 12 711</i>
Remitter	
Check No.	<i>7015 - Returned by the Bank</i>
Amount	<i>\$300</i>
Fee Category	<i>7A 2B 3P</i>
Type of Fee	<i>Amnd</i>
Date Check Rec'd	<i>2/26/97</i>
Date Completed	<i>2/26/97</i>
By:	<i>AC</i>



February 18, 1997

Mr. James Mullauer
Nuclear Regulatory Commission
801 Warrenville Road
Lilse, Illinois 60532-4351

Dear Mr. Mullauer:

Per our telephone conversation today, I am writing to request an emergency amendment to Riverhills Healthcare's license for the cobalt unit located at 10550 Montgomery Road, Suite 14, Cincinnati, Ohio 45242 to reflect "storage only incident to disposal".

As we discussed, the unit itself is not operational. It is in the off position and is locked down. Although the unit is now owned and housed by Oncology/Hematology Care, Inc. - University Internal Medicine Associates, Riverhills Healthcare, as the NRC licensee, will maintain control of this unit. Dr. Keriakas has agreed to remain on the amended license as the physicist authorized to maintain the unit until such time as the source and source head are removed and the license is terminated. It is our intent to dispose of this unit, whether by disposal or sale, within six months.

Drs. Compaan, Horwitz and Murdock should be removed from the license as authorized users as they no longer practice at this site. Please also amend the license to reflect Dr. Elizabeth Horn Levick as Radiation Safety Officer.

As you instructed, I have contacted Shirley Crutchfield regarding the amendment fee which is enclosed. If you have any further questions or need any additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Teresa D. Loomis".

Teresa D. Loomis
Director of Operations & Human Resources

enclosure

cc: Robert L. Reed, President - RHI
Mary Heskamp, Administrator - Oncology/Hematology Care
Ralph Preston, Attorney - Thompson Hine & Flory
Clifford Roe, Attorney - Dinsmore & Shohl

CORPORATE OFFICES
2368 Victory Parkway
Suite 600
Cincinnati, Ohio 45206
(513) 961-4700
Fax: (513) 961-5510

PRESIDENT Robert Reed, MD
VICE PRESIDENT Pearl Compaan, MD, FACP
MEDICAL DIRECTOR Steven Dumbauld, MD, FACP
SECRETARY / TREASURER P. Scott Decker, MD

RECEIVED

FEB 21 1997

REGION III

302347
FEB 21 1997

Pm: 2-20-97

Oncology/Hematology Care, Inc.
University Internal Medicine Associates

2522 Highland Avenue
Cincinnati, Ohio 45219
513-751-2145 FAX: 513-751-2138

**Medical Oncology
& Hematology**

Mary E. Albers, M.D.
Rebecca G. Bechhold, M.D.
John A. Bismayer, M.D.
Lawrence V. Brennan, M.D.
E. Randolph Broun, M.D.
Cynthia C. Chua, M.D.
William G. Danneman, M.D.
D. Randolph Drosick, M.D.
James H. Essell, M.D.
Douglas K. Hawley, M.D.
Roger H. Herzig, M.D.
David L. Kirlin, M.D.
Elyse E. Lower, M.D.
Michael N. Neuss, M.D.
Joseph E. Palascak, M.D.
Michele Redden-Borowski, M.D.
Arthur I. Richards, M.D.
Debasish Roychowdhury, M.D.
Peter F. Ruehlman, M.D.
Louis E. Schroder, M.D.
Duane A. Sigmund, M.D.
David M. Waterhouse, M.D.
Paula Weisenberger, M.D.
John C. Winkelmann, M.D.
Sara L. Zaknoen, M.D.

Gynecologic Oncology

Marcia C. Bowling, M.D.
Nancy L. Simon, M.D.

Radiation Therapy

Michael A. Cross, M.D.
Peter R. Fried, M.D.
Rodney P. Geier, M.D.
Jennifer W. Gerson, M.D.
Elizabeth H. Levick, M.D.
Richard L. Levy, M.D.
Carol S. Milburn, M.D.
John F. Sacco, M.D.
Ralph J. Wright III, M.D.
Michael W. Zinda, M.D.

Psychology

Linda B. Wohl, Ed.D.

Administrative Office

2522 Highland Ave., Suite 1
Cincinnati, Ohio 45219
513-751-2145
Fax: 513-751-2138

February 7, 1997

Mr. Carl J. Paperiello, Director
Division of Industrial and Medical Nuclear Safety
Office of Nuclear Material Safety and Safeguards
United States Nuclear Regulatory Commission
Washington, D.C. 20555

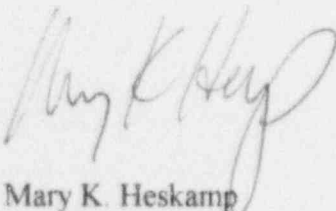
re: license #: 34-21422-02 ref #: 030-20637/34-21422-01

Dear Mr. Paperiello,

I am writing to inform you that Oncology/Hematology Care recently acquired the assets of Riverhills Healthcare Oncology Division. These assets included a Co60 teletherapy unit located at 10550 Montgomery Rd., Cincinnati, Ohio 45242. At the time of the acquisition, the Cobalt machine was not operational and needed a significant repair. We have chosen not to repair the unit. We are currently scheduling a time for a certified company to remove the source. Therefore, we do not want to amend/renew the current license. If there is anything further I need to do please notify me at the above address.

Thank you.

Sincerely,



Mary K. Heskamp
Administrator

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FEB 21 1997
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Additional Offices:

Wilmington

Southgate

Western Hills

Fairfield

Hamilton

Montgomery

Crestview Hills

Lawrenceburg

Clifton



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34-21422-02

February 3, 1997

Mr. Carl J. Paperiello, Director
Division of Industrial and Medical Nuclear Safety
Office of Nuclear Material Safety and Safeguards
United States Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Paperiello:

I am writing to inform you that the physicians of the Oncology Division of Riverhills Healthcare terminated their employment with Riverhills effective December 31, 1996. The oncologists, who have joined Oncology/Hematology Care, Inc. - University Internal Medicine Associates, have retained all of the assets of the former Riverhills Oncology Division to include the cobalt unit licensed through the Nuclear Regulatory Commission. Although Riverhills no longer owns or has access to the cobalt unit, we have continued to attempt to work with the new entity in an effort to complete all necessary information regarding the transfer of the cobalt unit's license.

Dr. Pearl Compaan, who also terminated her employment with Riverhills Healthcare, Inc. as of December 31, 1996, did not join Oncology/Hematology Care, Inc. Dr. Compaan, therefore, should no longer be recorded as Safety Director for the site.

If you need any further information on this subject, please contact me at 513-961-4700.

Sincerely,

A handwritten signature in cursive script, appearing to read "Teresa D. Loomis".

Teresa D. Loomis
Director of Operations & Human Resources

cc: Robert Reed, President - Riverhills Healthcare
Pearl J. Compaan, M.D. - Cincinnati Cancer Care
J. Thomas Crutcher, Business Manager - Oncology/Hematology Care, Inc.
Ralph W. Preston, Attorney - Thompson, Hine & Flory LLP

CORPORATE OFFICES

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Fax: (513) 961-5510

PRESIDENT Robert Reed, MD

VICE PRESIDENT Pearl Compaan, MD, FACP

MEDICAL DIRECTOR Steven Dumbauld, MD, FACP

SECRETARY / TREASURER P. Scott Becker, MD

RECEIVED

FEB 21 1997

REGION III

FEB 13 1997

MAR 20 1997

Teresa D. Loomis
Director of Operations
& Human Resources
Riverhills Healthcare, Inc.
2368 Victory Parkway
Suite 600
Cincinnati, OH 45206

Dear Ms. Loomis:

Enclosed is Amendment No. 02 to your NRC Material License No. 34-21422-02 in accordance with your request. Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region III office at (630) 829-9887 so that we can provide appropriate corrections and answers.

As we discussed on February 18 and 19, 1997, notwithstanding the fact that the physicians of the Oncology Division are no longer in your employ and the fact that the physicians are the owners of the teletherapy unit, Riverhills Healthcare, Inc. remains the licensee and responsible for licensed activity. Your request to possess the teletherapy unit for storage only incident to disposal has been granted. However, it is our understanding that you intend to transfer or dispose of the licensed material within six months of the date of this amendment. Please be advised that after you are no longer in possession of licensed material, you will need to terminate your NRC license. At that time, please include a certificate of transfer or disposal and a copy of the most current leak test.

Enclosed is a copy of a letter dated May 7, 1996, that was sent informing you that the Commission amended its regulations in 10 CFR 30 to extend the expiration date of certain byproduct material licenses by five years. Your license expiration date was extended to April 30, 2004. However, since this rulemaking went into effect, your program has changed significantly, as discussed above. With your commitment of intent to dispose of all licensed material and terminate your NRC license within the next 6 months, we have concluded that there is no need to extend your license expiration date. Therefore, your NRC license expiration date will remain April 30, 1999.

Please also note the new Docket No. 030-33495 on your NRC license. The Docket No. listed on previous licensing actions was incorrect.

You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you. This could include issuance of a notice of violation, or imposition of a civil penalty, or an order suspending, modifying or revoking your license as specified in the

302347

T. Loomis

-2-

General Statement of Policy and Procedure for NRC Enforcement Actions. Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken when dealing with licensees who do not achieve the necessary meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

If you have any questions or require clarification on any of the information stated herein, you may contact me at (630) 829-9873.

Sincerely,

Original Signed By
James R. Mullauer, M.H.S.
Health Physicist
Nuclear Materials Licensing Branch

License No.: 34-21422-02
Docket No.: 030-33495

Enclosures: 1. Amendment No. 02
2. NRC ltr dtd 05/07/96

DOCUMENT NAME: M:\03033495.CL7

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	DNMS/RIII	DNMS/RIII							
NAME	JMULLAUER:jaw	JBHOLT							
DATE	08/17/97	08/19/97							

OFFICIAL RECORD COPY