

From: [Gallagher, Robert](#)
To: [Butler, Wayne](#)
Subject: Wheeling Hospital Request for Additional Information - Mail Control No. 621316
Date: Tuesday, July 7, 2020 9:51:00 AM
Attachments: [NUREG-1556.Table C.docx](#)
[image002.png](#)

License No. 47-05322-01
Docket No. 03012570
Control No. 621316

PLEASE CONFIRM RECEIPT OF THIS REQUEST FOR ADDITIONAL INFORMATION BY RETURN EMAIL

Dr. Butler,

This is regarding the request submitted to the U.S. Nuclear Regulatory Commission to amend License No. 47-05322-02 to authorize Brian S. Kurko, MS, CMD as Radiation Safety Officer. In order to continue our review we require the following additional information:

1. In support of your request to name Brian S. Kurko as Radiation Safety Officer, please complete NRC Form 313A (RSO), attached;
2. Submit a description of the duties and responsibilities of your Radiation Safety Officer. The typical duties of a Radiation Safety Officer would be:
 - a. To assess radiological hazards and prescribe, and ensure the implementation of, appropriate radiation safety precautions.
 - b. To ensure that the use of licensed material is by or under the direct supervision of individuals specifically listed on your license.
 - c. To ensure that all users (where appropriate) wear personnel monitoring equipment when using licensed materials.
 - d. To ensure that licensed materials are properly secured against unauthorized removal at all times when not in use.
 - e. To perform routine inspections of all laboratories using or storing licensed materials.
 - f. To ensure that the terms and conditions of your license are met, and that all required records are maintained.
3. Submit a declaration of authority signed by David Lucey and agreed to by Brian Kurko (who signs as accepting the duties, responsibly, and authority).

We will continue our review upon receipt of this information. Please submit your response in pdf format to robert.gallagher@nrc.gov. In order to continue prompt review of your application, we request that you submit your response within 30 calendar days from the date of this email.

An electronic version of the NRC's regulations is available on the NRC Web Site at: www.nrc.gov. Additional information regarding medical uses of radioactive materials may be obtained on the NRC Web Site at: <http://www.nrc.gov/materials/miau/med-use-toolkit.html>. This site also provides the updated Training and Experience NRC Form 313A series of forms and guidance, as well as information on the revised regulations for naturally-occurring and accelerator-produced radioactive materials (NARM).

If you have any questions regarding this request for additional information, please contact me at 610-337-5182 or via electronic mail at robert.Gallagher@nrc.gov.

Thank you for your cooperation.

Robert L. Gallagher
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Table C–2. Items 7 Through 11 on NRC Form 313: Training and Experience, Facilities and Equipment, Radiation Protection Program, and Waste Disposal

Item 7: Radiation Safety Officer (RSO) or Associate Radiation Safety Officer (ARSO)

- ☐ Name of the proposed RSO (RSO is required for all licenses)
- ☐ Name(s) of proposed ARSO(s), if desired (A licensee may choose to identify one or more individuals as ARSOs to support the RSO):
- for each proposed ARSO, identify the types of use (e.g., 10 CFR 35.200, 10 CFR 35.300) of byproduct material for which the individual may be assigned duties and tasks under the licensee's program in oversight of the radiation protection program:
 - ☐ 10 CFR 35.100 ☐ 10 CFR 35.200 ☐ 10 CFR 35.300 ☐ 10 CFR 35.400
 - ☐ 10 CFR 35.500 ☐ 10 CFR 35.600 (teletherapy) ☐ 10 CFR 35.600 (HDR)
 - ☐ 10 CFR 35.600 (gamma stereotactic radiosurgery)
 - ☐ 10 CFR 35.1000- ()

- ☐ **Individual currently or was previously identified as an RSO or ARSO on an NRC or Agreement State license or Master Material License permit for the same materials and use**

- ☐ Provide an NRC License #_____ or a copy of the license (if issued by an Agreement State) or a copy of a permit issued by an NRC master materials licensee on which the individual was named as the RSO or ARSO¹.

AND

- ☐ If applicable, attach documentation of recent, related continuing education and experience as required by 10 CFR 35.59.

OR

- ☐ **Individual is a current RSO or ARSO seeking authorization to be recognized as a RSO or ARSO for the additional medical uses**

- ☐ Attach documentation of completion of the supervised training and experience specified in 10 CFR 35.50(d) for any new materials or new medical uses requested.

AND

- ☐ If not qualified under 10 CFR 35.57(a)(1) or board certified by an NRC-recognized board, attach a written attestation as prescribed in 10 CFR 35.50(b)(2), signed by a preceptor RSO or ARSO, that the individual has successfully completed the required training and experience in radiation safety, regulatory issues, and emergency procedures for the types of use for which the licensee seeks approval and is able to independently fulfill the radiation safety-related duties as an RSO or as an ARSO for a medical use licensee. Provide documentation of the board certification, if applicable.

¹Some Agreement States list ARSOs on licenses prior to implementing equivalent Agreement State requirements to 10 CFR 35.50 effective January 14, 2019. Until all the Agreement States implement the rule which went into effect, licensees must document that a proposed ARSO listed on an Agreement State license is qualified under a different pathway.

Table C–2. Items 7 Through 11 on NRC Form 313: Training and Experience, Facilities and Equipment, Radiation Protection Program, and Waste Disposal (Continued)

OR

<input type="checkbox"/> Individual is qualified under 10 CFR 35.57(a)(4) because the individual was an RSO for only accelerator-produced materials or discrete sources of radium 226 or both: <input type="checkbox"/> Attach documentation that this individual was the RSO for only medical uses of accelerator-produced radioactive materials, discrete sources of Ra-226, or both, at a Government agency or Federally recognized Indian Tribe before November 30, 2007, or at all other locations of use before August 8, 2009, or an earlier date as noticed by the NRC <p style="text-align: center;">AND</p> <input type="checkbox"/> Attach documentation of recent related continuing education and experience as required by 10 CFR 35.59. <p style="text-align: center;">OR</p>
<input type="checkbox"/> Individual is Board certified by an NRC-recognized board under 10 CFR 35.50(a) <input type="checkbox"/> Attach copy of board certification issued by a specialty board whose certification process has been recognized ² by the NRC or an Agreement State under 10 CFR 35.50(a) . <p style="text-align: center;">AND</p> <input type="checkbox"/> Attach documentation of supervised training and experience specified in 10 CFR 35.50(d) demonstrating that the proposed RSO or ARSO is qualified by training in radiation safety, regulatory issues, and emergency procedures for the types of use for which the applicant seeks approval of the individual as the RSO or ARSO. <p style="text-align: center;">AND</p> <input type="checkbox"/> If applicable, documentation of recent related continuing education and experience as required by 10 CFR 35.59. <p style="text-align: center;">OR</p>
<input type="checkbox"/> Individual is board certified as a medical physicist by an NRC-recognized board qualifying under 10 CFR 35.50(c)(1) [see 10 CFR 35.51(a)] <input type="checkbox"/> Attach copy of board certification issued by a specialty board whose certification process has been recognized by the NRC or an Agreement State under 10 CFR 35.51(a) and documentation of the experience specified in 10 CFR 35.50(c)(1) demonstrating that the proposed RSO or ARSO is qualified by experience with the radiation safety aspects of similar types of use of byproduct material for which the applicant seeks approval of the individual as the RSO or ARSO.

²Specialty board certifications recognized by the NRC are posted on the [Medical Uses Licensee Toolkit](#) Web page. Board certificates should contain prescribed language and shows issuance within specified dates as described on the Web page.

<p style="text-align: center;">Table C-2. Items 7 Through 11 on NRC Form 313: Training and Experience, Facilities and Equipment, Radiation Protection Program, and Waste Disposal (Continued)</p>
<p style="text-align: center;">AND</p> <input type="checkbox"/> Attach documentation of supervised training and experience specified in 10 CFR 35.50(d) demonstrating that the proposed RSO or ARSO is qualified by training in radiation safety, regulatory issues, and emergency procedures for the types of use for which the applicant seeks approval of the individual as the RSO or ARSO. <p style="text-align: center;">AND</p> <input type="checkbox"/> If applicable, attach documentation of recent related continuing education and experience as required by 10 CFR 35.59. <p style="text-align: center;">OR</p>

- ☐ **Individual is Board certified by an NRC-recognized board qualifying under 10 CFR 35.57(a)(2)**
- ☐ Attach a copy of board certification issued on or before October 24, 2005, by a specialty board whose certification is listed in 10 CFR 35.57(a)(2).

AND

- ☐ Attach documentation demonstrating that the individual was using the requested materials and uses on or before October 24, 2005.

AND

- ☐ Attach documentation of recent related continuing education and experience as required by 10 CFR 35.59.

OR

- ☐ **Individual is an AU, ANP, or AMP qualifying under 10 CFR 35.50(c)(2):**

- ☐ Attach a copy of the NRC or Agreement State license, permit issued by a NRC master material licensee, permit issued by a NRC or Agreement State licensee of broad scope, or permit issued by a NRC master material license permittee of broad scope indicating that the individual is an AU, AMP, or ANP identified on the license or permit and has experience with radiation safety aspects of similar types of use of byproduct material for which the applicant seeks approval of an individual to serve as RSO or ARSO.

AND

- ☐ Attach documentation of supervised training and experience specified in 10 CFR 35.50(d) demonstrating that the proposed RSO or ARSO is qualified by training in radiation safety, regulatory issues, and emergency procedures for the types of use for which the applicant seeks approval of an individual to serve as RSO or ARSO.

AND

- ☐ If applicable, attach documentation of recent related continuing education and experience as required by 10 CFR 35.59.

OR

Table C-2.

Items 7 Through 11 on NRC Form 313: Training and Experience, Facilities and Equipment, Radiation Protection Program, and Waste Disposal (Continued)
Individual is applying simultaneously to be the RSO and AU on a new license under

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