

UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, ILLINOIS 60532-4352

MAY 29 2012



Daniel J. Archambeault, M.S.
Radiation Safety Officer
Memorial Hospital
615 North Michigan Street
South Bend, IN 46601

Dear Mr. Archambeault:

Enclosed is Amendment No. 75 to your NRC Material License No. 13-18881-01 in accordance with your request. Please note that the major changes made to your license are printed in **bold** font.

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.

This also refers to the change of ownership between Memorial Hospital (MH) of South Bend and Elkhart General Hospital (EGH), as described in your letter dated March 1, 2012.

We noted that your letter failed to provide the date when the change of ownership occurred. However, from our records for EGH, we were aware it had occurred on November 22, 2011.

In addition, NRC's written consent was not obtained prior to the change of ownership taking place.

Further, only your signature, as the Radiation Safety Officer, appears on the letter dated March 1, 2012.

10 CFR 35.12(a) requires the signature of a management official for all NRC correspondence.

In the future, please ensure that an appropriate management representative signs all correspondence with us.

Please review carefully the Information Notice IN 89-025 rev. 1, issued December 7, 1994, at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/info-notices/1989/in89025r1.html>.

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D. Archambeault

Please also review Appendix G to NUREG 1556, Vol. 9, Rev. 2, "Consolidated Guidance About Materials Licenses: Program - Specific Guidance About Medical Use Licenses," which also concerns changes of ownership and control.

Please ensure that your management obtains NRC's written consent prior to future changes of ownership and/or control. Please also include the date when a change of ownership occurs, in order to provide complete and accurate information as required by 10 CFR 30.9, below.

Although the information provided in the letter dated March 1, 2012, was minimally adequate, NRC hereby consents to the transaction between MH and EGH as described in your letter dated March 1, 2012.

10 CFR 30 can be found at:

<http://www.nrc.gov/reading-rm/doc-collections/cfr/part030/>

Please also be reminded of the provisions in 10 CFR 30.9(a), "Completeness and accuracy of information,"..."(a) Information provided to the Commission by an applicant for a license or by a licensee or information required by statute or by the Commission's regulations, orders, or license conditions to be maintained by the applicant or the licensee shall be complete and accurate in all material respects."

I also deleted Dr. Fields as an authorized user and added the new model of iodine-125 sealed source, as requested in your letter dated April 11, 2012.

If you have any questions concerning this amendment please contact me at either (630) 829-9841 or (800) 522-3025, ext. 9841. My fax number is 630-515-1078.

NRC's Regulatory Issue Summary (RIS) 2005-31 provides criteria to identify security-related sensitive information and guidance for handling and marking of such documents. This ensures that potentially sensitive information is not made publicly available through ADAMS, the NRC's electronic document system.

Pursuant to NRC's RIS 2005-31 and in accordance with 10 CFR 2.390, the enclosed license document is exempt from public disclosure because its disclosure to unauthorized individuals could present a security vulnerability.

The RIS may be located on the NRC Web site at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2005/ri200531.pdf> and the link for frequently asked questions regarding protection of security related sensitive information may be located at: <http://www.nrc.gov/reading-rm/sensitive-info/faq.html>.

A copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS).

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D. Archambeault

The NRC's document system is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

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 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.

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency's *expectations* for individuals and organizations to establish and maintain a positive safety culture.

You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html>.

We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

Sincerely,



Colleen Carol Casey
Materials Licensing Branch

License No. 13-18881-01
Docket No. 030-17335

Enclosure:

Amendment No. 75