



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION III
2443 WARRENVILLE RD. SUITE 210
LISLE, IL 60532-4352

MAY 24 2016

Ralph P. Lieto, M.S.E.
Radiation Safety Officer
St. Joseph Mercy Health System
5301 E. Huron River Drive
Ann Arbor, MI 48106-0995

Dear Mr. Lieto:

Enclosed is Amendment No. 107 renewing your NRC Material License No. 21-00943-03 in accordance with your request.

Based on 10 CFR 35.92, a license issued under Part 35 is authorized to hold byproduct material with a physical half-life of less than or equal to 120 days for decay-in-storage before disposal. In the application, you request to hold byproduct material with a half-life up to 275 days for decay-in-storage in accordance with 10 CFR 35.92. As you are aware, isotopes for medical use permitted by 10 CFR Part 35 with physical half-life more than 120 days cannot be disposed of in accordance with 10 CFR 35.92. As such you must file an exemption request. NUREG-1556, "Consolidated Guidance About Materials Licenses: Guidance About Administrative Licensing Procedures," Volume 20 provides guidance to request for an exemption. Specifically, the exemption request to the regulations must not present an undue risk to public health and safety and must be consistent with the common defense and security, and must be accompanied by:

- 1) A description of the licensee-proposed exemption and the reason why it is needed;
- 2) A description of specific compensatory safety measures that will provide a level of protection equivalent to the regulation for which the licensee-proposed exemption is being requested; and
- 3) A discussion of reasonable alternatives that have been considered by the licensee.

In order to complete our review of your exemption request, please provide the information above.

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.

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

The enclosed document contains sensitive security-related information.
When separated from this cover letter this letter is uncontrolled.

[REDACTED]

R. Lieto

-2-

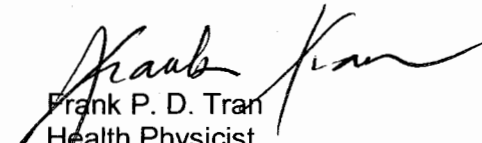
meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

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.

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 Code of Federal Regulations 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 NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,


Frank P. D. Tran
Health Physicist
Materials Licensing Branch

License No. 21-00943-03
Docket No. 030-01997

Enclosure: Amendment No. 107

[REDACTED]