



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

AUG 16 2005

Marvin Dean Dziabis, M.D.  
Radiation Safety Officer  
dukes Health System, LLC  
d/b/a dukes Memorial Hospital  
275 West 12<sup>th</sup> Street  
Peru, IN 47970

Dear Dr. Dziabis:

Enclosed is Amendment No. 18 renewing your NRC Material License No. 13-18703-01 in accordance with your request. Please note that some of the changes made to your license are printed in **bold** font. Your license has been issued for a ten year term and will not expire until August 31, 2015.

Please 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.

In your renewal application dated February 15, 2005, you mentioned that you did not wish to continue authorization for temporary job site uses of licensed materials. I prepared your renewed license in accordance with this request.

However, please respond to items 1 and 2 of the following information within 30 days of the date of this letter in order to resolve questions concerning the final status of the locations where you temporarily used licensed materials in the past. Please address your response to my attention and reference it as "additional information to control number 314206."

1. Please list the locations where you used licensed materials on a temporary basis during the timeframe when you had this authorization and note when the last use of licensed material took place at each location.
2. Please describe the final surveys performed (wipe tests and direct dose rate surveys), final radioactive waste disposition, and sealed source usage, if any, for each location in item 1 above. You do not need to submit copies of the actual surveys themselves; you should keep copies of these surveys to demonstrate compliance with 10 CFR 30.35(g) and submit them when you wish to terminate this license in the future. 10 CFR Part 30 can be found on our website at <http://www.nrc.gov>
3. For your information only - your records for each of these locations should consist of the results of your decommissioning and close-out surveys for each of these facilities.

The survey should include a complete historical review of all actual licensed materials used, including sealed and unsealed sources, spills, and contamination. It should specify when and where the materials were used and how, when and by whom were the materials disposed of (returned to commercial nuclear pharmacy, decayed -in-storage, sanitary sewer disposal, shipped off- site for burial, etc.).

The final status survey should consist of exposure rate measurements to show that all sources of radioactive material have been removed, and contamination checks of areas where radioactive materials were used or stored. Average radiation levels associated with surface contamination and removable contamination should not exceed those specified in the enclosed decontamination guide.

Please also refer to section 15.5.3 in NUREG 1757, Vol. 1, Rev. 1, available on our website, for additional assistance. Please maintain the following information with your close-out survey for submission when you request future termination:

- a. Diagrams of each facility with exposure rate survey and wipe test results keyed to specific locations, as appropriate.
- b. The name of the person performing the survey.
- c. The date the survey was performed.
- d. The instrument(s) used for exposure rate measurements and for analysis of the wipes.
- e. Background readings and each instruments' efficiency or correction factor.
- f. The date(s) that the survey instruments were last calibrated.
- g. The action levels for both exposure rate measurements and wipe tests. Include the identity of areas exceeding these levels, corrective actions taken and results of corrective actions taken.

Please note that at this time I deleted line item authorization for cesium-137 transmission sources, as they appeared on Amendment No. 17, for Subitem No. 6.E., because this authorization is included in 10 CFR 35.65. The subsequent line item was re-ordered as a result of this change.

I noted that Amendment No. 17 listed Dr. Alan Cooperman's degree as "D.O." Your renewal application listed his degree as "M.D." I continued the degree designation as it appeared on Amendment No. 17 but please clarify his degree in a written amendment request to us if it is, in fact, an "M.D." degree.

I deleted Condition No. 14, concerning limiting possession of materials subject to decommissioning financial assurance, as it appeared on Amendment No. 17, because it is not appropriate for your type of license.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). The NRC's document system is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. The enclosed license document is exempt from public disclosure in accordance with 10 CFR 2.390, because its disclosure to unauthorized individuals could present a security vulnerability.

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.

Sincerely,

  
Colleen Carol Casey  
Materials Licensing Branch

License No. 13-18703-01  
Docket No. 030-14065

Enclosures:

1. Amendment No. 18
2. Decontamination Guidance