



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
2443 WARRENVILLE ROAD STE 210
LISLE, ILLINOIS 60532-4352

MAY 17 2006

Andrea D. Browne, Ph.D.
Radiation Safety Officer
Community Hospitals of Indiana, Inc.
1500 N. Ritter Avenue
Indianapolis, IN 46219

Dear Dr. Browne:

Enclosed is Amendment No. 70 to your NRC Material License No. 13-06009-01 in accordance with your request. Please note that the 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.

At this time I deleted Condition Nos. 18. and 19., as they appeared on Amendment No. 69, because they are no longer appropriate for your license.

I was unable to approve your requests for yttrium-90 SIRSpheres authorization and authorization for Dr. Ahmad to use materials in 10 CFR 35.600, limited to the HDR remote afterloading device, because the information in your letters dated January 26, 2006, and March 16, 2006, was insufficient to complete my review.

If you wish to pursue these requests please submit written responses to the information addressed below, marked to my attention and reference it as "additional information to control number 315321." We will then continue our review.

1. Your request for authorization of yttrium-90 SIRSpheres was not approved because most of the information needed to consider your request was not provided. This information is available on our website and a copy, downloaded and printed from the publicly available NRC website, is enclosed. Please prepare appropriate responses to each item that applies to your request and resubmit your application in entirety.

Please also note that this guidance restricts authorized user status for yttrium-90 SIRSpheres to physicians who meet the training and experience requirements in 10 CFR 35.490. Therefore, we cannot approve your request to name Kenyon K. Kopecky, M.D. and David Kurlander, M.D. as authorized users for this modality.

2. Your request to name Anwar Ahmad, M.D. as an authorized user for the use of iridium-192 in the HDR remote afterloading brachytherapy devices was not approved because the information supporting Dr. Ahmad's request did not demonstrate that he meets the training and experience requirements in 10 CFR 35.690 and 10 CFR 35.59.

Please note, in particular, that NRC no longer accepts the specialty board certification

earned by Dr. Ahmad. The specialty boards currently recognized by NRC are listed on our website and I enclosed a copy of this page for your use. Please check this website often as changes and updates will occur.

Please resubmit Dr. Ahmad's application for the use of iridium-192 in the HDR remote afterloading brachytherapy devices in entirety. The following advice may be useful to you in preparing this application, and all future licensing correspondence of a similar nature.

Please do not submit resumes, CV's, or personal, proprietary information that we must protect, in accordance with 10 CFR 2.390, such as social security numbers, dates of birth, home addresses or phone numbers, patient records, college transcripts, etc.

Please do not submit extraneous documents, including but not limited to, certificates received for attendance at meetings and conferences.

As mentioned above, please refrain from listing specialty certification board credentials that NRC does not recognize. Specialty board certifications that NRC does recognize are currently listed on our website at <http://www.nrc.gov>.

Please refer to the above regulatory requirements as well as section 8.11, item 7 and Appendices B, D and E in NUREG 1556, Vol. 9, Rev. 1, for assistance in preparing your response.

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." Please focus on the regulatory requirements and only the information required to demonstrate compliance with the regulatory requirements.

If you have further questions concerning these matters please contact me at (630) 829-9841 or (800) 522-3025.

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). 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.

Sincerely,



Colleen Carol Casey
Materials Licensing Branch

License No. 13-06009-01
Docket No. 030-01625

Enclosures:

1. Amendment No. 70
2. SIRSpheres licensing guidance
3. Specialty Board certifications list