

July 6, 2006

MEMORANDUM TO: Patricia J. Pelke, Chief/**RA**/  
Materials Licensing Branch  
Division of Nuclear Materials Safety

FROM: John R. Madera, Chief  
Materials Inspection Branch  
Division of Nuclear Materials Safety

SUBJECT: UNITED COMMUNITY HOSPITAL, LICENSE NO. 21-32103-01,  
DOCKET NO. 030-34771: FOLLOW-UP ON FAILURE TO  
COMPLY WITH ORDER REVOKING LICENSE FOLLOWING  
IMMEDIATELY EFFECTIVE 30-DAY SUSPENSION

The licensee is a small community hospital located in Detroit, Michigan. The licensee is authorized for 10 CFR 35.100 and 35.200 byproduct materials. The last inspection conducted on January 31, 2003, indicated that the licensee did not possess licensed materials at the facility located at 2401 20<sup>th</sup> Street, Detroit, Michigan. On December 28, 2005, the NRC Fee Department (Accounts Receivable) issued an order revoking the license for non payment of fees, and on January 27, 2006, the licensee entered into an installment plan and made only one payment. A subsequent order revoking the license for non-payment was sent to the above address; however, it was undelivered.

On May 23, 2006, Accounts Receivable informed Region III DNMS that the licensee, United Community Hospital, was under a Receivership by the State of Michigan, and their possessions were being auctioned off.

Before the license is revoked, terminated, or retired, the NRC has to establish that the licensee disposed and removed all licensed materials from the facility. For United Community Hospital, the Region III DNMS Materials Inspection Branch had conducted three inspections between 1999 and 2003, and concluded that the licensee's nuclear medicine department had not used or possessed licensed materials at the facility since 1998. To determine that licensed materials were not used since 2003, the Inspection Branch made telephone inquiries on the status of licensed material with the owner and encouraged the owner to properly dispose of the materials. However, the owner was unsure whether materials were ever possessed at the facility. Furthermore, the Inspection Branch attempted to contact the licensee's RSO without success. Subsequent phone calls to the owner were unanswered, and the inspector was unable to establish the status of possession of byproduct materials at the licensee's facility since the last inspection, dated January 31, 2003.

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The Inspection Branch contacted the consultant physicist, Mr. Ray Carlson, and he indicated that during his last visit to United Community Hospital in April 2005, the licensee did not possess licensed materials at the facility. In addition, Mr. Carlson contacted a former X-ray technologist, and the technologist also confirmed the absence of licensed materials and equipment at the facility.

The inspection branch also contacted Cardinal Health's nuclear pharmacy in the area, and according to the manager of the pharmacy, United Community Hospital had not ordered doses and the hospital's license was not listed in the ordering database.

Based on extensive inquiries by the materials inspector, the Region III Inspection Branch concluded that the license had not possessed the listed byproduct materials authorized under 10CFR 35.100 and 35.200, and therefore, the license could be retired. The licensee was given ample opportunities to achieve compliance through the payment plan; however, to date, the licensee had not responded or complied. The Materials Inspection Branch, after discussions with Ms. Leah Tremper, the Chief of Account Receivable in NRC Headquarters, recommends that the license be retired.

License No. 21-32103-01  
Docket No. 030-34771

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