

## UNITED STATES NUCLEAR REGULATORY COMMISSION

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

NOV 0 6 2006

J. Charles Smith, M.S.
Radiation Safety Officer
Mercy Hospital
Port Huron
2601 Electric Avenue
Port Huron, MI 48060-6518

Dear Mr. Smith:

Enclosed is Amendment No. 26 to your NRC Material License No. 21-15638-01 in accordance with your request. Please note that the changes made to your license are printed in **bold** font.

In reference to a telephone conversation on November 3, 2006, between Mr. J. Charles Smith and myself, we have not authorized the accelerator produced sealed source. As discussed, the sealed source is under the regulatory authority of the state of Michigan. In addition, we have included the corrected model numbers for your requested sources.

Also, note that we have reformatted License Condition No.12 at this time to remove all references to excluded authorizations (e.g., "xenon-133") for certain physicians using materials in 10 CFR 35.200 to conform with current NRC formatting policies. Please be reminded, however, that you are still bound by the restrictions imposed by the excluded authorizations contained in documents incorporated into your license in License Condition No. 15.

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

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: <a href="http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2005/ri200531.pdf">http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2005/ri200531.pdf</a> and the link for frequently asked questions regarding protection of security related sensitive information may be located at: <a href="http://www.nrc.gov/reading-rm/sensitive-info/fag.html">http://www.nrc.gov/reading-rm/sensitive-info/fag.html</a>.

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 <a href="http://www.nrc.gov/reading-rm/adams.html">http://www.nrc.gov/reading-rm/adams.html</a> (the Public Electronic Reading Room).

Sincerely,

Cassandra F. Frazier Senior Health Physicist

Materials Licensing Branch

License No. 21-15638-01 Docket No. 030-09491

Enclosure: Amendment No. 26