



UNITED STATES
NUCLEAR REGULATORY COMMISSION

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

FEB 12 2007

Jerry Bishop, CNMT
Radiation Safety Officer
The Care Group, LLC
8333 Naab Road, Suite 400
Indianapolis, IN 46260

Dear Mr. Bishop:

Enclosed is Amendment No. 40 to your NRC Material License No. 13-19923-01 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. If you have questions concerning this amendment, please contact me at either (630) 829-9841 or (800) 522-3025, ext. 9841.

Wael Harb, M.D. was not approved as an authorized user for the use of materials in 10 CFR 35.300 because the supporting information provided in your letter dated November 13, 2006, did not demonstrate his compliance with the training and experience criteria in 10 CFR 35.396. If you wish to pursue this request please submit a written response, addressed to my attention, and reference it as "additional information to control number 315848."

In your response, please first state explicitly what you want Dr. Harb to become an authorized user for.

Please refer to 10 CFR 35.396, 35.13, 35.14, 35.57 and 35.59, 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. As appropriate, please refer to our newly revised Forms 313a at:

<http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2006/ri200627.pdf>

Specifically, no preceptor attestation was included in your letter from Michelle Kreinbrook, supporting Dr. Harb's training and experience to satisfy the requirements in 10 CFR 35.396(d) (2)(i-v). In addition, the 313a form, section 6a. submitted for this work is incorrect in that section (d) in 35.396 is not referenced. It is usually best to explicitly state the work experience tasks on the 313a forms, instead of listing the regulations.

In preparing this amendment I noted that Condition No. 15.C. was incomplete, as it was on Amendment No. 39 and several previous amendments. I contacted the reviewer who processed Amendment No. 39. The amendment is now completed and correct. We apologize for any confusion this error may have caused you.

Please note that we have reformatted Subitem No. 6 and Condition No. 12 at this time to remove all references to excluded authorizations, including but not limited to authorizations such as "generators, xenon-133, aerosols, etc."

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 Condition No. 15 of your license.

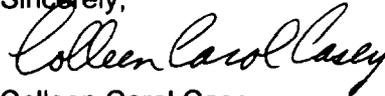
NRC's Regulatory Issue Summary (RIS) 2005-31 provides criteria to identify security-related sensitive information and guidance for handling and marking of such documents. This ensures that potentially sensitive information is not made publicly available through ADAMS, the NRC's electronic document system.

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. 13-19923-01
Docket No. 030-19538

Enclosures:

Amendment No. 40