



SALUD PRIMERO QUE NADA

**VIA CERTIFIED MAIL**

July 12, 2007

US Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555

Reply to a Notice of Violation-Hospital Perea


Gentlemen:

On behalf of Metro Mayaguez, Inc. (d/b/a Hospital Perea), we acknowledge receipt on June 25, 2007 of Report No. 1-2007-005, Docket No. 03019630, dated June 19, 2007. Pursuant to said notice, we respond as follows:

1. The reason for the notification is that neither the past nor the present administration notified NRC of the change of ownership upon the effective date of the transaction.
2. Corrective action was taken as NRC representatives were immediately provided information on the matter, the applicable notification was promptly filed by the new owner and transfer of control of NRC License was subsequently obtained.
3. Corporate officers in charge of acquisitions and other major transactions are now aware that both seller and buyer must request transfer control of NRC License, and obtain written authorization by NRC prior to any transaction. The new owners had interpreted that this responsibility relied on the seller or licensee. The regulations are not specific as to that effect.
4. The incident at hand was immediately mitigated. It was not the intent of the new owner to willfully deceive the NRC nor was the incident due to gross negligence.
5. The Hospital has no history of prior violations, so it respectfully prays against any civil penalties as their economic impact would severely impact this newly acquired business.

Thanking you for the opportunity to respond to this notice, I remain.

Sincerely,

  
Miglisa L. Capó-Suria  
General Counsel  
P.O. Box 3180  
Carolina, PR 00984

c. Pamela J. Anderson, Chief Medical Branch, Division of Nuclear Materials  
US Nuclear Regulatory Commission Region 1  
Radiation Safety Officer

IE07

FSME

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION I  
400 ALLESTREE ROAD  
KIDGEE PROSSIA, PENNSYLVANIA 15001-0001

January 4, 2007

Docket No. 03019630  
Control No. 139509

License No. 52-19984-01

Mr. Jaime F. Maestre  
Administrator  
Hospital Perea, Inc.  
P.O. Box 170  
Mayagüez, PR 00681-0170

SUBJECT: HOSPITAL PEREA, INC., LICENSE AMENDMENT, CONTROL NO. 139509

Dear Mr. Maestre:

This refers to your license amendment request. Enclosed with this letter is the amended license.

Please review the enclosed document carefully and be sure that you understand and fully implement all the conditions incorporated into the amended license. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region I Office, Licensing Assistance Team, (610) 337-5239, so that we can provide appropriate corrections and answers.

An environmental assessment for this action is not required, since this action is categorically excluded under 10 CFR 51.22(c)(14).

Current NRC regulations and guidance are included on the NRC's website at [www.nrc.gov](http://www.nrc.gov); select **Nuclear Materials; Medical, Industrial, and Academic Uses of Nuclear Material**; then **Toolkit Index Page**. Or you may obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 9:00 p.m. EST, Monday through Friday (except Federal holidays).

Thank you for your cooperation.

Sincerely,

**Original signed by Pamela J. Henderson**  
Pamela J. Henderson, Chief  
Medical Branch  
Division of Nuclear Materials Safety

Enclosure:  
Amendment No. 10

cc:  
Eileen M. Hart, M.D., Radiation Safety Officer

NRC FORM 174

U.S. NUCLEAR REGULATORY COMMISSION

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Amendment No. 10**MATERIALS LICENSE**

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and 10 CFR, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 36, 38, 40, and 70, and in reliance on statements and representations made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct sources and special nuclear material designated below, to use such material for the purpose(s) and at the place(s) designated below, to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 193 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

<p>Licensee</p> <p>1. Hospital Perea, Inc.</p> <p>2. P.O. Box 170 Mayagüez, Puerto Rico 00681-0170</p>	<p>In accordance with the letter dated October 6, 2006,</p> <p>3. License number 52-19984-01 is amended in its entirety to read as follows:</p> <p>4. Expiration date August 31, 2013</p> <p>5. Docket No. 030-19630 Reference No.</p>	
<p>6. Byproduct source, and/or special nuclear material</p> <p>A. Any byproduct material permitted by 10 CFR 35.100</p> <p>B. Any byproduct material permitted by 10 CFR 35.200</p> <p>C. Any byproduct material permitted by 10 CFR 35.300</p>	<p>7. Chemical and/or physical form</p> <p>A. Any</p> <p>B. Any</p> <p>C. Any</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. As needed</p> <p>B. As needed</p> <p>C. As needed, not to exceed 300 millicuries of I-131</p>
<p>9. Authorized use:</p> <p>A. Any uptake, dilution and excretion study permitted by 10 CFR 35.100.</p> <p>B. Any imaging and localization study permitted by 10 CFR 35.200.</p> <p>C. Any diagnostic study or therapy procedure permitted by 10 CFR 35.300.</p>		

**CONDITIONS**

10. Licensed material may be used or stored only at the licensee's facilities located at 15 Dr. Basora Street (intersection of Dr. Basora and De Diego Streets), Mayagüez, Puerto Rico.
11. The Radiation Safety Officer for this license is Eileen M. Hart, M.D.

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**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**

License Number

52-19984-01

Docket or Reference Number

030-19630

Amendment No. 10

12. Licensed material is only authorized for use by, or under the supervision of:

- A. Individuals permitted to work as an authorized user, authorized nuclear pharmacist, and/or authorized medical physicist in accordance with 10 CFR 35.13 and 35.14.
- B. The following individuals are authorized users for medical use as indicated:

Authorized UsersMaterial and Use

Eileen M. Hart, M.D.

35.100; 35.200; 35.300

13. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of licensed material to quantities below the minimum limit specified in 10 CFR 30.35(d) for establishing decommissioning financial assurance.
14. The licensee is authorized to transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."

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**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**

License Number

52-19984-01

Object or Reference Number

030-19630

Amendment No. 10

15. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. This license condition applies only to those procedures that are required to be submitted in accordance with the regulations. Additionally, this license condition does not limit the licensee's ability to make changes to the radiation protection program as provided for in 10 CFR 35.26. The U.S. Nuclear Regulatory Commission's regulations shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the regulations.

- A. Application dated February 21, 2003 [ML030570364]
- B. Application dated June 30, 2003 [ML031960616]
- C. Letter dated August 22, 2003 [ML032390429]
- D. Letter dated October 6, 2006 [ML062830419]

For the U.S. Nuclear Regulatory Commission

Date January 4, 2007

By

***Original signed by Pamela J. Henderson***

Pamela J. Henderson, Chief  
Medical Branch  
Division of Nuclear Materials Safety  
Region I  
King of Prussia, Pennsylvania 19406