

# ReedSmith

Reed Smith LLP  
2500 One Liberty Place  
1650 Market Street  
Philadelphia, PA 19103-7301  
+1 215 851 8100  
Fax +1 215 851 1420

**Amie E. Schaadt**  
Direct Phone: +1 215 851 8106  
Email: ASchaadt@reedsmith.com

November 19, 2007

*NMSA*

BY ELECTRONIC FAX

BY US MAIL

Tara L. Weidner  
U.S. Nuclear Regulatory Commission Region I  
Nuclear Materials Safety Branch  
Licensing Assistance Section  
475 Allendale Road  
King of Prussia, PA 19406-1415

RECEIVED  
REGION 1  
2007 NOV 20 AM 11:17

*03012854*

RE: Proposed Change of Ownership of Berwick Hospital Center  
(License No. 37-17502-01 Amendment No. 19)

Dear Ms. Weidner:

In accordance with 10 C.F.R. §30.34(b), this letter is to notify the Licensing Assistance Section of the U.S. Nuclear Regulatory Commission (the "Section") that CHS Berwick Hospital Corporation ("Berwick"), a Pennsylvania corporation that owns and operates Berwick Hospital Center (the "Hospital"). The purpose of this letter is to inform you of a planned corporate restructuring (the "Corporate Restructuring") that will include (1) the conversion of Berwick from a corporation to a limited liability company, and (2) certain other changes to Berwick's parent ownership structure.

The conversion of Berwick will be effected by the merger of Berwick with and into Berwick Hospital Company, LLC, a Delaware limited liability company. Berwick Hospital Company, LLC will succeed to all of the assets and liabilities of Berwick, and as a result will be the owner and operator of the Hospital. In connection with the change of ownership, the parties do not plan to effect any material changes in the radiation safety program previously conducted by the Hospital or in related facilities or personnel.

CHS Berwick Hospital Corporation hereby consents to the transfer of the above-referenced materials license to Berwick Hospital Company, LLC in connection with the closing of the transaction described in this letter. Effective upon the conversion described above, Berwick Hospital Company, LLC hereby agrees to comply with all of the terms and conditions set forth on Radioactive Materials License No. 37-17502-01 Amendment No. 19 issued by the U.S. Nuclear Regulatory Commission to Berwick Community Hospital, a complete copy of which is attached to this letter. It is our

NEW YORK ♦ LONDON ♦ CHICAGO ♦ PARIS ♦ LOS ANGELES ♦ WASHINGTON, D.C. ♦ SAN FRANCISCO ♦ PHILADELPHIA ♦ PITTSBURGH ♦ OAKLAND

MUNICH ♦ ABU DHABI ♦ PRINCETON ♦ NORTHERN VIRGINIA ♦ WILMINGTON ♦ BIRMINGHAM ♦ DUBAI ♦ CENTURY CITY ♦ RICHMOND ♦ GREECE

reedsmith.com

*141343*

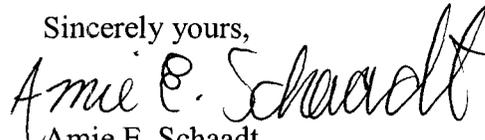
NMSS/RGN1 MATERIALS-002

Tara L. Weidner  
November 19, 2007  
Page 2

ReedSmith

understanding that, rather than require Berwick Hospital Company, LLC to obtain a new radioactive materials license, upon review and approval of the enclosed information, the Section will issue an amendment to the Hospital's current licenses to reflect the change of ownership. Please forward any documents required to accomplish this amendment directly to counsel for the Hospital at the following address:

Amie E. Schaadt, Esquire  
Reed Smith LLP  
2500 One Liberty Place  
1650 Market Street  
Philadelphia, Pennsylvania 19103.

Sincerely yours,  
  
Amie E. Schaadt

Cc: PA Department of Environmental Protection, Bureau of Radiation Protection

Enclosure

**MATERIALS LICENSE**

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 36, 39, 40, and 70, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, 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 183 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 style="text-align: center;">Licensee</p> <p>1. CHS Berwick Hospital Corporation</p> <p>2. 701 East 16th Street Berwick, Pennsylvania 18603</p>	<p>In accordance with the letter dated March 6, 2007,</p> <p>3. License number 37-17502-01 is amended in its entirety to read as follows:</p> <hr/> <p>4. Expiration date June 30, 2014</p> <hr/> <p>5. Docket No. 030-12854 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>7. Chemical and/or physical form</p> <p>A. Any</p> <p>B. 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>
--	---	---

9. Authorized use:
- A. Any uptake, dilution and excretion study permitted by 10 CFR 35.100.
  - B. Any imaging and localization study permitted by 10 CFR 35.200.

**CONDITIONS**

- 10. Licensed material may be used only at the licensee's facilities located at 701 East 16th Street, Berwick, Pennsylvania.
- 11. The Radiation Safety Officer for this license is Samuel L. Payne, M.S.

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**

License Number  
37-17502-01

Docket or Reference Number  
030-12854

Amendment No. 19

12. Licensed material listed in Item 6 above is only authorized for use by, or under the supervision of, the following individuals for the materials and uses indicated:

<u>Authorized Users</u>	<u>Material and Use</u>
James C. Ferrigno, M.D.	35.100; 35.200
Larry Braunstein, M.D.,	35.100; 35.200
Dennis Burton, M.D.	35.100; 35.200

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."
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 May 17, 2004 | [ML041490018] |
| B. Letter dated June 10, 2004     | [ML041690371] |
| C. Letter dated March 6, 2007     | [ML070740389] |
| D. Letter dated May 17, 2007      | [ML071420219] |

For the U.S. Nuclear Regulatory Commission

Date May 29, 2007

By

*Sandra Gabriel*  
Sandra Gabriel  
Medical Branch  
Division of Nuclear Materials Safety  
Region I  
King of Prussia, Pennsylvania 19406

Tuesday, May 29, 2007 2:44:28 PM

This is to acknowledge the receipt of your letter/application dated

11/19/2007, and to inform you that the initial processing which includes an administrative review has been performed.

AMEND. 37-17502-01  
There were no administrative omissions. Your application was assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information.

Please provide to this office within 30 days of your receipt of this card

---

A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned **Mail Control Number** 141343.  
When calling to inquire about this action, please refer to this control number.  
You may call us on (610) 337-5398, or 337-5260.