



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, ILLINOIS 80532-4352

MAR 26 2008

Tooraj (Tom) Torabi, Ph.D.
Radiation Safety Officer
Saint Joseph Regional Medical Center
801 East LaSalle St.
South Bend, IN 46617-1935

Dear Dr. Torabi:

Enclosed is Amendment No. 39 to your NRC Material License No. 13-02650-02 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 any questions concerning this amendment please contact me at either (630) 829-9841 or (800) 522-3025.

Please note that we have reformatted certain physician user authorizations in Condition No. 12 at this time to remove all references to excluded authorizations and restrictions, including but not limited to authorizations such as "generators, xenon-133, clinical cardiovascular procedures 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. 20. of your license.

Please note that I was unable to effect certain changes to your license that appeared to be implied in Part III, 1, 2, 4, and 5 of the application received December 10, 2007. This is because statements were made that did not direct us to specifically change anything on the license. Also, certain supporting information was not provided for requests in Part III.1 and 2.and 4.

To resolve item 1 in Part III, please explicitly request that we delete this authorization from your license. In addition, please submit a copy of the license that Technical Option Corporation performs service work under; a copy of a written, signed and dated acknowledgment that Technical Option Corporation has taken your depleted uranium into its possession under this license and on a specified date; and provide a copy of the final leak test or a close out survey, demonstrating that no residual radioactive material or contamination remained from the depleted uranium.

To resolve the items concerning animal research, please explicitly request what you want deleted from the license. Please provide a close-out survey to support your request for the deletion of authorization for animal studies using technetium-99m. Please also address the final disposition of animal tissues/carcasses and radioactive wastes associated with the animal research, pursuant to 10 CFR 35.92.

As we cannot authorize you to release your former animal research use space for unrestricted use (even by other members of your staff) until we have received and reviewed a copy of the results of your close-out survey, please submit the following.

The survey should consist of exposure rate measurements to show that all sources of radioactive material have been removed, and contamination checks of areas where radioactive materials were used or stored. Please submit the following information with your close-out survey:

1. The last day of use of the technetium-99m in animals should be provided.
2. A diagram of the facility with survey and wipe test results keyed to specific locations.
3. The name of the person performing the survey.
4. The date the survey was performed.
5. The instrument(s) used for exposure rate measurements and for analysis of the wipes.
6. Background readings, each instruments' efficiency or correction factor and the radionuclide standards used to determine the efficiency/correction factor.
7. The date(s) that the survey instruments were last calibrated.

When submitting the close-out survey and other information above, please reference it as "additional information to Control No. 316781" and submit it to my attention. We will continue our review at that time.

In order to complete my review of the merger of the Mishawaka hospital 's licensed activities into your license, please submit a statement confirming that all radiation safety program elements currently incorporated in your license will be extended to include licensed activities at the Mishawaka facility.

Please also note that I corrected Condition No. 18, as shown in **bold font**.

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>.

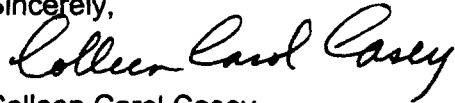
A copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS).

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. 13-02650-02

Docket No. 030-13685/030-13705

Enclosure:

Amendment No. 39