



REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

May 18, 2009

Docket No. 03002547
Control No. 143700

License No. 29-12253-01

Daniel Kane
President & Chief Executive Officer
Bayonne Hospital Center
29 East Twenty Ninth Street
Bayonne, NJ 07002

SUBJECT: BAYONNE HOSPITAL CENTER, REQUEST FOR ADDITIONAL INFORMATION
CONCERNING APPLICATION FOR AMENDMENT TO LICENSE, CONTROL
NO. 143700

Dear Mr. Kane:

This is in reference to your letter dated April 30, 2009 requesting to amend Nuclear Regulatory Commission License No. 29-12253-01. In order to continue our review, we need the following additional information:

1. You have requested that John T. McLean, M.S. be named Radiation Safety Officer (RSO) on your license. Because this individual is an outside consultant\contractor we need the following additional information:
 - a. Describe the control over the radiation safety program that will be delegated so that the consultant-RSO will be able to exercise authority over authorized users when confronted with radiation safety problems that require implementation of corrective actions.
 - b. Describe the relationship that will exist between the consultant-RSO and your institutional management regarding expenditure of funds to facilitate the objectives of your radiation safety program and related regulatory requirements.
 - c. Identify other commitments of the consultant-RSO for other NRC or Agreement State licensed facilities, along with a description of how the consultant-RSO will allocate time to permit the performance of the duties of the RSO as described in the regulations. State the consultant-RSO's minimum amount of on-site time (hours per week).
 - d. Appoint an in-house representative who will serve as the point of contact during the RSO's absence. This person may be allowed to assist the consultant RSO with limited authority.
 - e. Describe the overall availability of the consultant-RSO to respond to questions or operational issues that arise during the conduct of your radiation safety program

and related regulatory requirements. Specify the maximum amount of time it will take the RSO to arrive at the facility in the event of an emergency that requires his presence.

2. In your letter dated April 30, 2009, you stated that Mr. McLean is scheduled for HDR training at the next source exchange. Following the HDR training, I will need documentation that Mr. McLean has completed training in the radiation safety, regulatory issues, and emergency procedures for the HDR. In addition, I will need documentation that he has completed training in the radiation safety, regulatory issues, and emergency procedures associated with the use of 35.400 materials. I have spoke to Mr. McLean about these issues and he is aware of the specific documentation that I will require.

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, Academic, and Industrial Uses of Nuclear Material**; then **Regulations, Guidance, and Communications**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 7:00 a.m. to 6:30 p.m. EST, Monday through Friday (except Federal holidays).

We will continue our review upon receipt of this information. Please reply to my attention at the Region I Office and refer to Mail Control No. 143700. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5272.

If we do not receive a reply from you by June 30, 2009, we will assume that you do not wish to pursue your application.

Sincerely,

Original signed by Tara L. Weidner

Tara L. Weidner
Health Physicist
Medical Branch
Division of Nuclear Materials Safety

cc:
Howard B. Kessler, M.D., Radiation Safety Officer

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SUNSI Review Complete: TWeidner

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