



Dennis E. Klima
President & CEO
Tel 302 744-7000

Bayhealth Medical Center
Kent General Hospital
640 South State Street
Dover, DE 19901

B.c.1

June 19, 2009

Licensing Branch
Nuclear Materials Safety Section
Division of Safety & Safeguards
U.S., N.R.C. – Region I
475 Allendale Road
King of Prussia, PA 19406

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RE: Amendment — License # 07-14850-01;
Bayhealth Medical Center – Kent General Hospital

Please be advised of the following changes to our NRC Radioactive Materials License.
We wish to amend our license as follows:

- Please remove Rachel Taylor, M.D. from our license as an authorized user of all licensed materials as of June 30, 2009.
- Please remove Rachel Taylor, M.D. from our license as our Radiation Safety Officer (RSO) as of June 30, 2009.
- Please add Walter L. Robinson to our license as our Radiation Safety Officer (RSO) as of July 1, 2009.

Walter L. Robinson will assume the duties of Radiation Safety Officer (RSO). Mr. Robinson has been listed as RSO on other radioactive materials licenses of similar scope. Specifically:

Easton Hospital	NRC license #37-09938-01
St. Luke's Hospital	NRC license #37-07939-01
Reading Hospital & Medical Center	NRC license #37-00485-01

Mr. Robinson is an outside consultant/contractor. An overview of his ability to adequately manage the radiation safety program follows.

Regarding 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.

We have delegated Mr. Robinson the duties and responsibilities of the Radiation Safety Officer as stated in 10 CFR 35.24 and as outlined in NUREG 1556 rev. 1 (final version).

Mr. Robinson will have authority to meet these responsibilities, including prohibiting the use of byproduct material by employees who do not meet the necessary requirements and shutting down operations where justified by radiation safety.

Mr. Robinson will be required to notify management if staff do not cooperate and do not address radiation safety issues as advised or recommended.

He will have the authority to raise issues with the U.S. Nuclear Regulatory Commission.

Explanation of the relationship that will exist between the consultant-RSO and institutional management regarding expenditure of funds to facilitate the objectives of your radiation safety program and related regulatory requirements.

Mr. Robinson will communicate with institutional management on a monthly basis outlining any needs that are required to facilitate the objectives of the radiation safety program and related regulatory requirements.

Identification of 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.

Mr. Robinson currently has no RSO-related obligations for other licensees. He will be on site at Kent General Hospital, a minimum of 2 days per month. Additional times will be authorized if required to perform his duties as RSO.

Appointment of 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.

John Desiderio, the Director of Diagnostic Imaging, will be the point of contact during Mr. Robinson's absence.

Description of 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.

Mr. Robinson will be available 24 hours a day, seven days a week via a pager and/or cellular phone to respond to any questions or to address any operational issues. Mr. Robinson's firm has five other consultants that are also available - three of which are RSOs on multiple licenses.

The maximum amount of time it will take Mr. Robinson to arrive at the facility in the event of an emergency that requires his presence is approximately 2 hours.

If you any questions, please direct them to our medical physicist, Jay Yoder, at 610-873-2790 ext. 4.

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis Klima", written in a cursive style.

Dennis E. Klima
President and CEO

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

6/19/09, and to inform you that the initial processing which includes an administrative review has been performed.

Amendment (07-14850-01) 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** 143884.
When calling to inquire about this action, please refer to this control number.
You may call us on (610) 337-5398, or 337-5260.

Sincerely,
Licensing Assistance Team Leader