



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
2443 Warrenville Road, Suite 210
Lisle, Illinois 60532-4352

TELEFAX TRANSMITTAL

DATE: 10/16/09

NUMBER OF PAGES: 3
(including this page)

SEND TO: DANIEL J. ARCHAM BEAULT, MS

LOCATION: MEMORIAL HOSPITAL OF SOUTH BEND

FAX NUMBER: 574-647-3148 VERIFY BY CALLING SENDER

FROM: Colleen Carol Casey
(SENDER)

TELEPHONE NUMBER: 630-827-9241 FAX NUMBER: 630-515-1078

If you do not receive the complete fax transmittal, please contact the sender as soon as possible at the telephone number provided above.

MESSAGE

Please call me to discuss these items, especially Item 1. Thank you. Best time to reach me is afternoons.

Colleen Carol Casey

NOTICE

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by telephone and return the original to the above address, by U.S. Mail. Thank you.

**COLLEEN CAROL CASEY
MATERIALS LICENSING BRANCH
UNITED STATES NUCLEAR REGULATORY COMMISSION**

REGION III
2443 WARRENVILLE ROAD STE 210
LISLE, ILLINOIS 60532-4352
OFFICE: (630)-829-9841 FAX: (630) 515-1078

*C3 left VM msg
for Daniel Archembeault
- 7:52pm on
10/16/09.*

CONVERSATION RECORD

TIME

DATE

ACTUALLY FAXED? (Y) (N)

~ 7:50 pm

Oct. 16, 2009

NAME OF PERSON(S) CONTACTED

ORGANIZATION

TELEPHONE NO.

Daniel J. Archembeault, M.S., RSO for Memorial Hospital of South Bend

574-647-7956

SUBJECT

License No.:13-18881-01

Control No.: **318342**

SUMMARY

We have reviewed your letter dated July 17, 2009, requesting an amendment to your byproduct materials license and find that we need additional information as follows:

1. I noted that the California license submitted does not have a license condition describing how authorized users are designated on the license. It does appear to be a broad scope license but it is missing this critical element. I also noted that parts of the license provided appear to have been redacted – why? Was the license condition for authorized users among the redacted sections? The signatory for the California regulatory authority on the license is illegible so I would not know who to contact. Please advise and explain.
2. The California licensee, UCSFMC, provided an (unsigned) email and several pages from an internal file to support Dr. Speight's request for authorization on your license. These documents are unacceptable for this purpose.

Please note that all we need to support Dr. Speight's request for authorization for use of iridium-192 in the HDR device on your license is: a copy of the California license showing clearly how authorized users are designated by the University; and a currently signed and dated letter, not an email, from either the RSO or the Radiation Safety Committee Chairperson, that states that Dr. Jocelyn Speight was an Authorized User for the use of Ir-192 in their HDR device under their license and during which timeframe(s). Then you will have provided documentation that complies with 10 CFR 35.14.

Note that, until this is resolved, Dr. Speight can work "under the supervision" of other Authorized Users on your license who are authorized for the use of Ir-192 in your HDR device, in accordance with 10 CFR 35.27.

We will be unable to continue processing your request until we receive this information.

Please also be reminded of the provisions in 10 CFR 30.9(a), "Completeness and accuracy of information,"...(a) Information provided to the Commission by an applicant for a license or by a licensee or information required by statute or by the Commission's regulations, orders, or license

conditions to be maintained by the applicant or the licensee shall be complete and accurate in all material respects.”

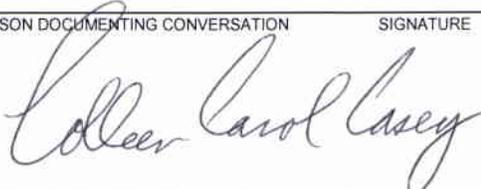
In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). The NRC's document system is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

ACTION REQUIRED

As we cannot issue an amendment at this time we are voiding this request in order to enable you to prepare a quality application without time constraints. This is done without prejudice to the resubmission of your request at a later date. Upon receipt of your response we will resume our review. Address your written response to my attention at the above address.

PLEASE NOTE THAT A "VOID" IS AN ADMINISTRATIVE PROCEDURE THAT PUTS YOUR AMENDMENT REQUEST "ON HOLD" (TAKES IT OUT OF OUR ACTIVE CASEWORK DATABASE) UNTIL YOU REACTIVATE IT VIA SUBMISSION OF A WRITTEN RESPONSE. IT "BUYS" YOU TIME TO PREPARE A QUALITY RESPONSE AND IS GENERALLY REGARDED AS A "GOOD THING."

PLEASE DIRECT ANY QUESTIONS YOU MAY HAVE TO ME AT (630) 829-9841 or (800) 522-3025, ext. 9841.

NAME OF PERSON DOCUMENTING CONVERSATION	SIGNATURE	DATE	NA
Colleen Carol Casey		Oct. 16, 2009	

TRANSMISSION VERIFICATION REPORT

TIME : 10/16/2009 19:52
NAME : USNRC RIII
FAX : 6308299782
TEL :
SER.# : 000A7J925774

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MESSAGE DD - AD - 10/16/09 1 7 1 00