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UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, ILLINOIS 60532-4352

NOV 05 2009

Robert D. Prock, M.D.
Radiation Safety Officer
Saint Margaret Mercy Healthcare Centers
5454 Hohman Avenue
Hammond, IN 46320

Dear Dr. Prock:

Enclosed is Amendment No. 72 to your NRC Material License No. 13-02047-02 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 I added a new Condition No. 15, addressing leak testing of the sealed sources in storage, as authorized by Subitem Nos. 6. through 9.G. of your license, inclusive.

Please note that, at this time, we were unable to approve Siju C. George as an Authorized Medical Physicist for the use of your HDR remote afterloading brachytherapy device because the information in your letter dated July 28, 2009, was insufficient to complete our review. If you wish to pursue this authorization, please submit the information requested below, in writing, addressed to my attention and reference control number 318391 to facilitate proper handling by our staff. We will then continue our review. Please also indicate whether Siju C. George is a man or a woman, for the convenience of communications.

Mr./Ms. George was not approved as an Authorized Medical Physicist for the use of your HDR remote afterloading brachytherapy device because it was not substantiated that s/he met the training and experience requirements in 10 CFR 35.51.

Specifically, a copy of his/her diploma for the Master's degree was not included in the application, a section of his/her preceptor attestation forms were incomplete and we were unable to verify his/her preceptor, Roland Parks, M.S.

Please note that we have to verify Siju C. George's preceptor, Mr. Parks, when you resubmit his/her application. As Mr./Ms. George received training at an Agreement State-licensed facility, the Community Cancer Center of North Florida, we are unable to verify his/her preceptor's qualifications. This is because we do not have access to Agreement State licenses.

Please submit a copy of the Agreement State License for the Community Cancer Center of North Florida where Siju C. George trained that clearly shows Mr. Parks was an Authorized Medical Physicist for the use of an HDR remote afterloading brachytherapy

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The enclosed document contains sensitive security-related information.
When separated from this cover letter this letter is uncontrolled.

R. Prock

device during the timeframes when Siju C. George received his/her training and experience.

In addition, if, you may find the guidance in Regulatory Issue Summary RIS 2003-17 helpful, found at this link on our website:

<http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2003/ri200317.pdf>

Also, the information in the guidance in NRC Regulatory Issue Summary RIS 2006-27 "Availability of NRC 313A Series of forms and Guidance For Their Completion" may be helpful, found at this link on our website:

<http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2006/ri200627.pdf>

In particular, you may wish to review section VI., "Authorized Medical Physicists" in RIS 2006-27.

I noted that 313a (AMP) Part 1, Section 3.c. was incompletely filled out because no dates were specified for the training claimed. I also noted that, although Siju C. George's training and experience, as documented on the 313a (AMP) forms included reference to teletherapy, this information was not considered in the review of the application because teletherapy is a modality that is not authorized on this license. Please submit a revised 313a(AMP) form, currently signed and dated, that shows Part 1, Section 3.c. completed filled out.

Please refer to the above regulatory requirements as well as section 8.14, item 7 and Appendices B, D and E in NUREG 1556, Vol. 9, Rev. 2, for assistance in preparing your response.

Please do not submit resumes, CV's, copies of Radiation Safety Committee meeting minutes or applications or personal, proprietary information that we must protect, in accordance with 10 CFR 2.390, such as social security numbers, dates of birth, home addresses or phone numbers, patient records, college transcripts, etc.

If Forms 313a will be used in support of your response, please use the newly revised Forms found on our website at:

[http://www.nrc.gov/reading-rm/doc-collections/forms/nrc313a\(aud\).pdf](http://www.nrc.gov/reading-rm/doc-collections/forms/nrc313a(aud).pdf)

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

R. Prock

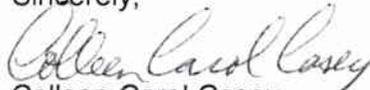
for a license or by a licensee or information required by statute or by the Commission's regulations, orders, or license conditions to be maintained by the applicant or the licensee shall be complete and accurate in all material respects."

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. 13-02047-02

Docket No. 030-01602

Enclosure:

Amendment No. 72