



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, ILLINOIS 60532-4352
OCT 30 2009

Rex Stith, Ph.D., Assistant Dean
Indiana University School of Medicine
Evansville Center for Medical Education
8600 University Blvd.
Evansville, Indiana 47712

SUBJECT: INFORMATION SUBMISSION IN RESPONSE TO NRC VIOLATION

Dear Dr. Stith:

This refers to Dr. Seetharamaiah's October 23, 2009, E-mail requesting a delay in submitting information necessary for the NRC to complete an amendment to your NRC Byproduct Material License No. 13-15734-01 (Mail Control No. 318429). This amendment request was submitted in response to an NRC Notice of Violation (NOV), which cited 10 CFR 30.36(h) for failure to complete decommissioning of two buildings within 24 months following the initiation of decommissioning. This also refers to a May 20 letter, which committed to the submission of a license amendment to the NRC by August 31. The intent of the University's amendment was to provide background documentation on inventory, usage, and disposal practices that the NRC could use to determine the acceptability of the buildings for unrestricted use.

Dr. Seetharamaiah's submitted an amendment on July 29. However the information provided to the NRC lacked appropriate documentation to support an NRC decision to approve the release of the buildings. During an August 21 conversation between NRC and University staff, the University staff committed to submitting the necessary information to the NRC by October 31.

Since this is the University's second request to delay the submission of information to address a violation of NRC regulations, we discussed your request with our Materials Inspection Branch. We have decided to approve the University's request, and will expect a complete and detailed submission no later than January 31, 2010. Please note that the 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.

Rex Stith, PhD.
Indiana University School of Medicine

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In accordance with Title 10 of the Code of Federal Regulations (10 CFR), Section 2.390 of NRC's Rules of Practice, a copy of this letter will be available electronically from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Website at <http://www.nrc.gov/readingrm/adams.html>.

If you have any questions, please contact me at (630) 829 – 9621 or Mike McCann at (630) 829 – 9856.

Sincerely,



Katie Streit
Materials Control, ISFSI and Decommissioning Branch
Division of Nuclear Materials Safety, Region III

License No. 13-15734-01
Docket No. 030-09673

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