

TRANSMISSION VERIFICATION REPORT

TIME : 11/29/2011 09:02
NAME : USNRC RIII
FAX : 6308299782
TEL :
SER.# : 000A7J925774

| | |
|--------------|-----------------|
| DATE, TIME | 11/29 09:01 |
| FAX NO./NAME | 82605692398 |
| DURATION | 00:00:38 |
| PAGE(S) | 05 |
| RESULT | OK |
| MODE | STANDARD ECM |

NRC FORM 386 (RIII)
(4-2004)



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

TELEFAX TRANSMITTAL

DATE: 11/29/2011 NUMBER OF PAGES: 5
(including this page)

SEND TO: Marilyn Custer Mitchell, CEO

LOCATION: Wabash County Hospital

FAX NUMBER: 260-569-2398 VERIFY BY CALLING SENDER

FROM: Frank Tran
(SENDER)

TELEPHONE NUMBER: 630-829-9623 FAX NUMBER: 630-829-9782

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

MESSAGE
Request additional information regarding the new RSO.



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

TELEFAX TRANSMITTAL

DATE: 11/29/2011 NUMBER OF PAGES: 5
(including this page)

SEND TO: Marilyn Custer Mitchell, CEO

LOCATION: Wabash County Hospital

FAX NUMBER: 260-569-2398 VERIFY BY CALLING SENDER

FROM: Frank Tran
(SENDER)

TELEPHONE NUMBER: 630-829-9623 FAX NUMBER: 630-829-9782

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

MESSAGE
*Request additional information regarding the new RSO.
See attached.*

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.



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

November 29, 2011

Marilyn Custer-Mitchell, CEO
Wabash County Hospital
710 North East Street
Wabash, IN 46992

Dear Ms. Custer-Mitchell:

In your letter dated September 28, 2011, you requested replacing the Radiation Safety Officer (RSO) on NRC's license number 13-18570-01 with a person who is a RSO at Dukes Memorial Hospital in Peru, Indiana. To adequately consider this request, the NRC will require additional specific information for review.

Dr. Marvin Dean Dziabis is already the RSO at Dukes Memorial Hospital located on 275 West 12th Street, Peru, Indiana. We are concerned that Dr. Dziabis may not have sufficient time and the availability to oversee the radiation safety programs at your facility, if he becomes the RSO at your facility. Please provide the following information to ensure the safe operation at all facilities.

1. Please describe the amount of time each week Dr. Dziabis will spend at your facility located at 710 North East Street, Wabash, Indiana, to adequately perform his duties as the RSO.
2. Please describe the mechanisms for alerting Dr. Dziabis in case of emergency involving radioactive materials at your facility when he is not present.
3. Please specify the amount of time it will take Dr. Dziabis to respond to an emergency involving radioactive materials at your facility when he is not present.
4. Please describe any previous commitments Dr. Dziabis has as the RSO and/or authorized user at other facilities and describe the impact this will have on his duties as the RSO at your facility. If there will be no adverse impact, please state so, and why.

In addition, please submit a delegation of authority for the new RSO. The model of the delegation of authority is in Appendix I of the NUREG-1556, Volume 9, Revision 2. Appendix I is enclosed with this letter for your reference.

Please respond to this letter by December 6, 2011. Your response should be in writing, dated and signed by authorized personnel and referred to Control Number 576117. We will resume our review once we receive your response. If you have any question, please do not hesitate to contact me as 630-829-9623 or frank.tran@nrc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Tran", with a stylized flourish at the end.

Frank P.D. Tran
Materials Licensing Branch

License No. 13-18570-01
Docket No. 030-13881

Enclosure: As stated

Note: If you refer to respond by email or facsimile, please scan your response and email to me at frank.tran@nrc.gov or fax it to 630-829-9782.

Typical Duties and Responsibilities of the Radiation Safety Officer and Sample Delegation of Authority

Model Radiation Safety Officer Duties and Responsibilities

The duties and responsibilities of the Radiation Safety Officer (RSO) include ensuring radiological safety and compliance with NRC and DOT regulations and the conditions of the license. Model procedures for describing the RSO's duties and responsibilities appear below. Applicants may either adopt these model procedures or develop alternative procedures to meet the requirements of 10 CFR 35.24. As a result of implementation of the EPAct, licensed material now includes accelerator-produced radioactive materials and discrete sources of Ra-226. Licensees authorized under 10 CFR 30.32(j) to produce and noncommercially transfer PET radioactive drugs to consortium members should review the model duties and responsibilities below, expanding on them as necessary to ensure radiation safety oversight of the production and transfer only to medical use consortium members.

Typically, these duties and responsibilities include ensuring the following:

- Unsafe activities involving licensed material are stopped;
- Radiation exposures are ALARA;
- Up-to-date radiation protection procedures in the daily operation of the licensee's byproduct material program are developed, distributed, and implemented;
- Possession, use, and storage of licensed material are consistent with the limitations in the license, the regulations, the SADR certificate(s), and the manufacturer's recommendations and instructions;
- Individuals installing, relocating, maintaining, adjusting, or repairing devices containing sealed sources are trained and authorized by an NRC or Agreement State license;
- Personnel training is conducted and is commensurate with the individual's duties regarding licensed material;
- Documentation is maintained to demonstrate that individuals are not likely to receive, in 1 year, a radiation dose in excess of 10% of the allowable limits or that personnel monitoring devices are provided;
- When necessary, personnel monitoring devices are used and exchanged at the proper intervals, and records of the results of such monitoring are maintained;
- Licensed material is properly secured;
- Documentation is maintained to demonstrate, by measurement or calculation, that the total effective dose equivalent to the individual likely to receive the highest dose from the licensed operation does not exceed the annual limit for members of the public;
- Proper authorities are notified of incidents such as loss or theft of licensed material, damage to or malfunction of sealed sources, and fire;

APPENDIX I

- Medical events and precursor events are investigated and reported to NRC, cause(s) and appropriate corrective action(s) are identified, and timely corrective action(s) are taken;
- Audits of the Radiation Protection Program are performed at least annually and documented;
- If violations of regulations, license conditions, or program weaknesses are identified, effective corrective actions are developed, implemented, and documented;
- Licensed material is transported, or offered for transport, in accordance with all applicable DOT requirements;
- Licensed material is disposed of properly;
- Appropriate records are maintained; and
- An up-to-date license is maintained, and amendment and renewal requests are submitted in a timely manner.

Model Delegation of Authority

Memo To: Radiation Safety Officer
From: Chief Executive Officer
Subject: Delegation of Authority

You, _____, have been appointed Radiation Safety Officer and are responsible for ensuring the safe use of radiation. You are responsible for managing the Radiation Protection Program; identifying radiation protection problems; initiating, recommending, or providing corrective actions; verifying implementation of corrective actions; stopping unsafe activities; and ensuring compliance with regulations. You are hereby delegated the authority necessary to meet those responsibilities, including prohibiting the use of byproduct material by employees who do not meet the necessary requirements and shutting down operations where justified to maintain radiation safety. You are required to notify management if staff does not cooperate and does not address radiation safety issues. In addition, you are free to raise issues with the Nuclear Regulatory Commission at any time. It is estimated that you will spend _____ hours per week conducting radiation protection activities.

Signature of Management Representative

Date

I accept the above responsibilities,

Signature of Radiation Safety Officer

Date

cc: Affected department heads