



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
2443 WARRENVILLE RD. SUITE 210
LISLE, IL 60532-4352

MAR 01 2016

Ryan Harrell, C.N.M.T.
Radiation Safety Officer
Indian Creek Therapeutics, LLC
5902 Homestead Rd.
Fort Wayne, IN 46814

SUBJECT: NRC CONSENT TO INDIRECT LICENSE TRANSFER AND AMENDMENT NO. 02

Dear Mr. Harrell:

By letter dated December 21, 2015, Indian Creek Veterinary Hospital submitted to the U.S. Nuclear Regulatory Commission (NRC) a Request for Consent to indirect License Transfer of NRC Materials License No. 13-32783-01. Based on the information provided by Kevin Cawood, D.V.M., owner, both Indian Creek Veterinary Hospital and Indian Creek Therapeutics, LLC, we understand that as an administrative transfer of the licensed operation from Indian Creek Veterinary Hospital, control of the licensed operation from Indian Creek Veterinary Hospital would be indirectly transferred to Indian Creek Therapeutics, LLC. We further understand that this transfer will not result in any change to the licensed materials, persons using the licensed material, location of use of licensed material, or persons responsible for the licensee's radiation safety program. Based on information provided by the same individual in the 2015 letter, we understand that, on January 1, 2016, all of Indian Creek Veterinary Hospital's assets and operations were indirectly transferred to Indian Creek Therapeutics, LLC. We have updated the license accordingly.

Enclosed is Amendment No. 02 to your NRC Material License No. 13-32783-01 in accordance with your letter dated February 16, 2016, confirming that the transaction has been completed as described in the December 21, 2015 letter. Please note that, as discussed via phone, we have also updated Items 7.D. through 7.F. and 9.D. through 9.F. and deleted Items 6.G. through 9.G., in accordance with your February 22, 2016 letter. Finally, note that, in accordance with NRC policy, we have added the NRC's Agencywide Documents Access and Management System (ADAMS) accession numbers to the application, facsimile, and facsimile letters identified previously in License Condition No. 19. 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.

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency's *expectations* for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html>. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

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.

Based on the above understandings and as more fully detailed in the enclosed NRC staff's Safety Evaluation Report which documents the NRC staff's review of the request, we have no objection to the proposed transfer. Please contact me at (630) 829-9892, or by e-mail at sara.forster@nrc.gov if you have any questions regarding this letter.

In accordance with Title 10 of the *Code of Federal Regulations* 2.390, a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,



Sara A. Forster, M.S.
Health Physicist
Materials Licensing Branch

License No. 13-32783-01
Docket No. 030-38326

- Enclosures: 1. NRC Safety Evaluation Report (SER) concerning request for consent to Transfer of Control
2. Amendment No. 02