



UNITED STATES
NUCLEAR REGULATORY COMMISSION

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

JAN 08 2019

Jonathon Berger, M.D.
Radiation Safety Officer
Daviess Community Hospital
1314 E. Walnut St.
P.O. Box 760
Washington, IN 47501

Dear Dr. Berger:

Enclosed is Amendment No. 28 to your NRC Material License No. 13-16138-01 in accordance with your request.

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, you may contact me directly at (630) 829-9841 and my fax number is (630) 515-1078. My email address is colleen.casey@nrc.gov.

In correspondence dated October 2, 2018, signed by Ethan Penn, CNMT, and January 8, 2019, signed by Tracy Conroy, Chief Executive Officer, you indicated that you wished to release the space identified as "New nuclear medicine room" on your facility diagram dated June 27, 2002, area for unrestricted use.

This also refers to the telephone discussion on December 28, 2018, between you and me concerning your request. In our telephone discussion, you stated that no materials in 10 CFR 35.300 had been received, used or stored in that space and that a treadmill and nuclear medicine camera had been in that space. Both pieces of equipment have been removed from this space.

Therefore, only materials in 10 CFR 35.200, as contained in patients undergoing nuclear medicine examinations, were used in this space. This space qualifies for release for unrestricted use under 10 CFR 35.13(e) and 35.14(b)(5,) in lieu of having the NRC staff review final status surveys, which were not required or submitted.

Based on its review of your letters identified above, the staff has concluded that all licensable radioactive material has been removed from the former "New nuclear medicine space" area and residual radioactive material attributable to licensed activities does not exceed current NRC criteria. Based on these conclusions no further remediation or actions with respect to NRC regulated material is required for this area of use and it is suitable for unrestricted use.

In your letter dated January 8, 2019, which was submitted at our request to update the facility diagram of your nuclear medicine department, the diagram attached is legible, but just barely. Unfortunately, your original diagram must have contained some kind of coloration that resulted

in the faxed version we received (which we requested as a fax) being very discolored, mostly dark gray and black and difficult to decipher.

Normally, we instruct our licensees, as we did in your case, to only send us one complete, written response by only one means of transmission.

However, in this instance, the fax quality of your diagram is not very good.

Therefore, just this one time, please send us the original hard copy of your written response in regular mail (not faxed or scanned/emailed) so that we may issue a corrected copy of your license with a better quality diagram.

Please contact me by either telephone or email as shown above (email is usually faster and best) if you have any questions about our request for the original hard copy of the letter dated January 8, 2019 and its attachment.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," 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>.

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.

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.

Sincerely,

A handwritten signature in cursive script that reads "Colleen Carol Casey".

Colleen Carol Casey
Materials Licensing Branch

License No. 13-16138-01
Docket No. 030-10475

Enclosure: Amendment No. 28