



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
799 ROOSEVELT ROAD
GLEN ELLYN, ILLINOIS 60137

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Borgess Hospital
ATTN: Mr. Edward Parham
Vice President
Professional Services
1521 Gull Road
Kalamazoo, MI 49001

License No. SNM-1430
Expiration Date: 11/30/78

Gentlemen:

Subject: Notice of Violation

This refers to the telephone discussion between Mr. S. R. Lasuk of this office and you on November 1, 1979. The subject of the discussion was the fact that NRC records show the Special Nuclear Material License identified above has expired and no renewal application has been filed in accordance with Section 70.33 of Title 10, Code of Federal Regulations, Part 70.

From our discussion with you we learned that you still possess material which requires a specific NRC license. That is, you are conducting patient follow-up for at least one individual with a nuclear-powered pacemaker. Your possession of that material without a valid, specific license is a violation of Section 70.3, 10 CFR Part 70. Section 70.3 states:

§70.3 License requirements. No person subject to the regulations in this part shall receive title to, own, acquire, deliver, receive, possess, use, or transfer special nuclear material except as authorized in a license issued by the Commission pursuant to these regulations.

This Notice of Violation is sent to you under the provisions of Section 2.201 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations. Section 2.201 requires you to submit to this office, within twenty (20) days of your receipt of this notice, a written statement or explanation in reply including: (1) corrective steps which have been taken by you, and (2) corrective steps which will be taken to avoid this happening in the future.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and your reply will be placed in the Public Document Room.

In addition to your reply to this Notice of Violation, you must immediately submit a written request for a Special Nuclear Material License to the License Management Branch, Office of Nuclear Materials Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C., 20555.

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Borgess Hospital

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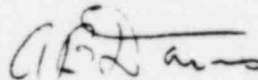
A copy of the written request should be sent to this office, Region III, U.S. Nuclear Regulatory Commission, 799 Roosevelt Road, Glen Ellyn, IL 60137, Attention: A. B. Davis.

Since your present license has expired, your request will be processed as an application for a new license. Accordingly, you must determine if your program is subject to a license fee as required by Section 170.31 of 10 CFR Part 170 and, if one is required, submit the appropriate fee along with your written request.

You may contact the License Management Branch on 301/427-4232 for assistance in preparing your request for a new license.

Please give prompt attention to these matters. Should you have any questions concerning them, we will gladly discuss them with you.

Sincerely,



A. B. Davis, Chief
Fuel Facility and
Materials Safety Branch

Enclosures:

1. 10 CFR Part 70
2. 10 CFR Part 170

cc w/o enclosures:

Central Files
Reproduction Unit NRC 20b
PDR
NSIC
Chief, Licensing Management
Branch, NMSS

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