

FRANK J. CASO
PRESIDENT AND CEO



November 4, 1993

U.S. Nuclear Regulatory Commission
ATTN: DOCUMENT CONTROL DESK
Washington D.C. 20555

RE: REPLY TO NOTICE OF VIOLATION
DOCKET #030-32739 DATED 10/28/93

To Whom This May Concern:

VIOLATION A: 10 CFR35.13(E) "NOTIFICATION OF ADDRESS CHANGE"

West Penn Cares, Inc. had never entered into the business that was anticipated at the time the license had been applied for and approved. Since we had not entered into the business for which we had applied for the NRC license, we did not have any personnel with specific duties to supervise that license and to provide appropriate direction related to the license. In January 1993 we discussed this with the Nuclear Regulatory Commission, I call your attention to the attached Docket #030-32739. Since we never possessed any materials authorized by this license and notified your office that the hot lab or possession of materials did not exist, we assumed that we did not need to notify your office of our address change. We apologize for this error in judgement and for any inconvenience this may have caused.

In a letter dated October 18, 1993, we notified the U.S. Nuclear Regulatory Commission Region I that we wished to terminate that license. I have attached a copy of that communication to this response as well.

VIOLATION B: 10CFR35.14 "NOTIFICATION OF NAME CHANGE"

As above, since we had not acquired the licensed materials and your office was aware of that, we again assumed that notification related to our name change was also not necessary. Again, this was obviously an error in judgement for which we also apologize. As above we have since requested termination of our NRC license.

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

JAN 6 1993

Docket No. 030-32739

License No. 37-28749-01

West Penn Cares, Inc.
ATTN: Stanley Grossman, M.D.
Radiation Safety Officer
5231 Penn Avenue
Fittsburgh, Pennsylvania 15224

Dear Dr. Grossman:

Subject: Inquiry No. 030-32739/92-001

This refers to a telephone inquiry by Penny Nessen of this office with you on November 24, 1992. This inquiry concerned activities authorized by the above listed NRC license.

From this discussion, we understand the following:

You have never possessed material authorized by this license and do not plan to acquire such material in the near future. We further understand that you will notify this office by telephone or in writing prior to acquiring licensed material.

If our understanding is incorrect, please inform us in writing.

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 will be placed in the Public Document Room. No reply to this letter is required; however, we will be pleased to discuss any questions with you.

Your cooperation with us is appreciated.

Sincerely,

for Mohamed M. Shanbaky, Chief
Medical Inspection Section
Division of Radiation Safety
and Safeguards

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