J. Paige Clousson and Associates TTORNEYS AND COUNSELORS AT LAW Juite 707, 39 South La Salle Street Chicago, Illinois 60603 FAX: 312-419-8735 January 25, 1991 Mr. John A. Grobe Nuclear Regulatory Commission Region III 799 Roosevelt Road Glen Ellyn, IL 60137 St. Mary's Medical Center, Hobart - Gary Dear Mr. Grobe: This will follow up on yesterday's telephone conversation concerning your continuing audit of the above facility. My review of your audit plan and the April Order in this matter does not reveal any guidelines for a continuing audit. Therefore, I suggest the following. Since you propose a review of the independent decisions made by the auditors, those auditors should be present to state their rationale. i. one else, including Dr. Sarma or Torabi, can speak for the auditors. Also, since the Diagnostic Outpatient Center's physicists, Al Herza, Jerry Soen and Kevin Grady, were directly involved in the patient treatment and contributed to the audit, they also are essential contributors to your continuing audit. As the indspendent auditors indicated, any review should be complete, not partial. The proposed reconsideration of the auditors' decisions will occupy an extended time period. Auditors may be asked over the telephone to respond to specific questions which may be based upon records available at the Hospital but not necessarily with the auditors themselves. This is the problem which occured before. Telephone interviews are likely to be ineffective for such complex discussion about professional substance. Therefore, it is probable that lay reviewers will require subsequent discussion with the auditors in person, which will cause greater delay. This delay in availability to the public of radiation treatment services at the licensed locations is working now to the detriment of patients and will do so even more as time goes on. Patients are logistically and clinically disadvantaged by needing 9102210043 910212 REG3 LIC30 13-03459-02 PDF JAN 3 0 1991 PDR

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to obtain radiation treatment from two separate facilities and by two separate sets of persons applying that treatment. We do not want patients to 19 further disadvantaged by this delay, as I'm sure you agree.

I have checked Dr. Sarma's schedule and find that he will be available on February 8, 1991.

J. Paige Clousson

JPC/to

cc: Steven Pratt, Esq.