

(Pls return to Kohler, AR-2015)

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

30-1402
30-151

In the Matter of)
Mt. Sinai Hospital Medical Center) Byproduct Material
Dept. of Therapeutic Radiology)
California Avenue at 15th Street License 12-01491-01
Chicago, Illinois 60608 and 12-01491-05

ORDER TO SHOW CAUSE

I

Mt. Sinai Hospital Medical Center, Dept. of Therapeutic Radiology, California Avenue at 15th Street, Chicago, Illinois 60608 ("the licensee") is the holder of Byproduct Material Licenses 12-01491-01 and 12-01491-05 ("the licenses") issued by the Nuclear Regulatory Commission ("the Commission"). The licenses authorize the possession and use of byproduct material under certain conditions specified therein. License 12-01491-01 was originally issued on November 29, 1956 with the present expiration date of May 31, 1983. License 12-01491-05 was originally issued on April 25, 1968 with the present expiration date of April 30, 1983.

II

On December 30, 1981, the licensee's activities authorized by Licenses 12-01491-01 and 12-01491-05 located at California Avenue at 15th Street, Chicago, Illinois, were inspected by a representative(s) of the NRC Region 3 Office for health and safety purposes. On April 20, 1982, the Commission sent Invoice 0624P to the licensee requesting payment within 30 days of the inspection fee of \$460 required by 10 CFR 170 of the Commission's regulations. A second notice of payment due, together with a Notice of Violation, was sent to the licensee on May 24, 1982. A final notice of payment due was sent to the licensee on June 24, 1982. To date the fee required by Part 170 has not been paid by the licensee.

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NMS LIC30
12-01491-01 PDR

III

In view of the foregoing and pursuant to the Atomic Energy Act of 1954, as amended and the regulations in 10 CFR Parts 2, 30 and 170, IT IS HEREBY ORDERED THAT:

1. The licensee show cause, in the manner hereinafter provided, why Licenses 12-01491-01 and 12-01491-05 should not be revoked permanently.

The licensee may, within twenty days of the date of receipt of this Order, file a written answer to this Order and may also request a hearing within said twenty-day period. Any answer filed shall specifically admit or deny such allegation made in Section II above, and may set forth the matters of the fact and law upon which the licensee relies. If a hearing is requested, the Commission will issue an Order designating the time and place of hearing. Upon failure of the licensee to file an answer within the time specified, the Director of Administration or the undersigned will, without further notice, issue an Order revoking Licenses 12-01491-01 and 12-01491-05.

In the event the licensee files a timely answer and requests a hearing within the time specified, the issues to be considered at such hearing shall be (1) whether the licensee violated the Commission's regulations as specified in Section II above; and (2) whether the subject licenses should be permanently revoked.

In lieu of filing an answer to this Order, the licensee may pay the prescribed inspection fee within twenty days of the date of receipt of this Order. In the event the licensee remits the required fee within said twenty-day period, the Nuclear Regulatory Commission will issue an Order terminating this proceeding. Otherwise, the foregoing procedure for revocation of the license shall be followed.

FOR THE NUCLEAR REGULATORY COMMISSION

Original Signed by
Wm. O. Miller

William O. Miller, Chief
License Fee Management Branch
Office of Administration

Dated at Bethesda, Maryland
this 15th day of September 1982

DISTRIBUTION:
LFMB Orders File
License File
PDR
RFonner, OELD
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KLKohler, LFMB
BSMallett, Reg. 3
LFMB R/F (2)

Certified MAIL
RETURN RECEIPT REQUESTED

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|---------|------------|---------|---------|----------|----------|--|--|
| OFFICE | LFMB:ADM | OELD | NMSS | CON | LFMB:ADM | | |
| SURNAME | KKohler:eg | RFonner | VMiller | WEManion | WOMiller | | |
| DATE | 9/3/82 | 9/9/82 | 9/14/82 | 9/7/82 | 9/7/82 | | |