



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV  
611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-8064**

January 23, 2003

National Health Physics Program (115HP/NLR)  
ATTN: E. Lynn McGuire, Director  
Department of Veterans Affairs  
Veterans Health Administration  
2200 Fort Roots Drive  
North Little Rock, Arkansas 72114

**SUBJECT:** James R. Floyd, Director  
Department of Veterans Affairs (VA)  
Salt Lake City Health Care System  
500 Foothill Drive  
Salt Lake City, Utah 84148

Please find enclosed Amendment No. 46 to License No. 43-03299-01. You should review this license carefully and be sure that you understand all conditions. If you have any questions, please contact me at (925) 673-9646.

NRC expects licensees to conduct their programs with meticulous attention to detail and a high standard of compliance. Because of the serious consequences to employees and the public that can result from failure to comply with NRC requirements, you must conduct your radiation safety program according to the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate by NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers: Inspection and Investigations," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Notify NRC in writing of any change in mailing address.
3. You must notify the NRC within 30 days if an Authorized User permanently discontinues his or her duties under the license or has a name change under 10 CFR 35.14.
4. By 10 CFR 30.36(b) and/or license condition, notify NRC, promptly, in writing, and request termination of the license:
  - a. When you decide to terminate all activities involving materials authorized under the license; or
  - b. If you decide not to complete the facility, acquire equipment, or possess and use authorized material.
5. Request and obtain a license amendment before you:
  - a. Change Radiation Safety Officers;
  - b. Order byproduct material more than the amount or form authorized on the license;
  - c. Add or change the areas or address(es) of use identified in the license application or on the license; or
  - d. Change the name or ownership of your organization.

6. Submit a complete renewal application or termination request at least 30 days before the expiration date on your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of radioactive material after your license expires is a violation of NRC regulations.

In addition, please note that NRC Form 313 requires the applicant, by signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of the applicant's knowledge. The signatory for the application should be the licensee or certifying official rather than a consultant.

NRC will periodically inspect your radiation safety program. Failure to conduct your program according to NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC may result in enforcement action against you. This could include issuance of a notice of violation; 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" (Enforcement Policy), NUREG 1600.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, and your response (if any) will be made available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Thank you for your cooperation.

Sincerely,

**\RAI**

James L. Montgomery, Health Physicist  
Nuclear Materials Licensing Branch

Docket: 030-03273  
License: 43-03299-01  
Control: 469344

**MATERIALS LICENSE**

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 36, 39, 40, and 70, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

Licensee	In accordance with letter dated November 1, 2002
1. Department of Veterans Affairs (VA) Salt Lake City Health Care System	3. License number 43-03299-01 is amended in its entirety to read as follows:
2. Radiation Safety Office (114N) 500 Foothill Drive Salt Lake City, Utah 84148	4. Expiration date June 30, 2005
	5. Docket No. 030-03273 Reference No.

6. Byproduct, source, and/or special nuclear material	7. Chemical and/or physical form	8. Maximum amount that licensee may possess at any one time under this license
A. Any byproduct material identified in 10 CFR 35.100	A. Any radiopharmaceutical identified in 10 CFR 35.100	A. As needed
B. Any byproduct material identified in 10 CFR 35.200	B. Any radiopharmaceutical identified in 10 CFR 35.200	B. As needed
C. Any byproduct material identified in 10 CFR 35.300	C. Any radiopharmaceutical identified in 10 CFR 35.300	C. As needed, not to exceed 300 millicuries per container
D. Any byproduct material identified in 10 CFR 35.400	D. Any brachytherapy source identified in 10 CFR 35.400	D. 200 millicuries
E. Any byproduct material with Atomic Numbers between 1 through 83, inclusive, and a half-life of less than 120 days except as noted below:	E. Any	E. Not to exceed 200 millicuries per radionuclide, with a total possession limit of 3 curies
(1) Hydrogen-3	(1) Any	(1) 2 curies
(2) Carbon-14	(2) Any	(2) 1 curie
(3) Phosphorus-32	(3) Any	(3) 1 curie
(4) Sulfur-35	(4) Any	(4) 1 curie
(5) Chlorine-36	(5) Any	(5) 50 millicuries
(6) Calcium-45	(6) Any	(6) 50 millicuries
(7) Iron-55	(7) Any	(7) 50 millicuries
(8) Zinc-65	(8) Any	(8) 50 millicuries

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## 9. Authorized Use:

- A. Medical use described in 10 CFR 35.100.
- B. Medical use described in 10 CFR 35.200.
- C. Medical use described in 10 CFR 35.300.
- D. Medical use described in 10 CFR 35.400.
- E. Research and development as defined in Section 30.4 of 10 CFR Part 30, including animal studies.

CONDITIONS

- 10. Licensed material may be used or stored only at the licensee's facilities located at 500 Foothill Drive, Salt Lake City, Utah.
- 11. The Radiation Safety Officer for this license is Robert J. Hoffman.
- 12.
  - A. The use of licensed material in or on humans shall be by a physician, dentist, or podiatrist as defined in 10 CFR 35.2.
  - B. Physicians, dentists, or podiatrists designated to use licensed material in or on humans shall meet the training criteria established in 10 CFR 35, Subpart J and shall be designated by the licensee's Radiation Safety Committee.
  - C. Licensed material for other than human use shall be used by or under the supervision of individuals designated by the Radiation Safety Committee.
- 13. Maintenance, repair, cleaning, replacement, and disposal of foils contained in detector cells shall be performed only by the device manufacturer or other persons specifically authorized by the Commission or an Agreement State to perform such services.
- 14.
  - A. Sealed sources and detector cells shall be tested for leakage and/or contamination at intervals not to exceed 6 months or at such other intervals as specified by the certificate of registration referred to in 10 CFR 32.210.
  - B. Notwithstanding Paragraph A of this Condition, sealed sources and detector cells designed to emit alpha particles shall be tested for leakage and/or contamination at intervals not to exceed 3 months.
  - C. In the absence of a certificate from a transferor indicating that a leak test has been made within 6 months prior to the transfer, a sealed source or detector cell received from another person shall not be put into use until tested.
  - D. Each sealed source fabricated by the licensee shall be inspected and tested for construction defects, leakage, and contamination prior to any use or transfer as a sealed source.
  - E. Sealed sources need not be leak tested if:

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- (i) they contain only hydrogen-3; or
  - (ii) they contain only a radioactive gas; or
  - (iii) the half-life of the isotope is 30 days or less; or
  - (iv) they contain not more than 100 microcuries of beta and/or gamma emitting material or not more than 10 microcuries of alpha emitting material; or
  - (v) they are not designed to emit alpha particles, are in storage, and are not being used. However, when they are removed from storage for use or transferred to another person, and have not been tested within the required leak test interval, they shall be tested before use or transfer. No sealed source or detector cell shall be stored for a period of more than 10 years without being tested for leakage and/or contamination.
- F. The leak test shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. Records of leak test results shall be kept in units of microcuries and shall be maintained for inspection by the Commission. If the test reveals the presence of 0.005 microcurie or more of removable contamination, a report shall be filed with the U.S. Nuclear Regulatory Commission and the source shall be removed immediately from service and decontaminated, repaired, or disposed of in accordance with Commission regulations. The report shall be filed within 5 days of the date the leak test result is known with the U.S. Nuclear Regulatory Commission, Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011, ATTN: Director, Division of Nuclear Materials Safety. The report shall specify the source involved, the test results, and corrective action taken.
- G. Tests for leakage and/or contamination shall be performed by the licensee or by other persons specifically licensed by the Commission or an Agreement State to perform such services.
15. The licensee shall conduct a physical inventory every 3 months to account for all sources and/or devices received and possessed pursuant to 10 CFR 35.59, 10 CFR 35.400 and 10 CFR 35.500 and every 6 months for all other sources and/or devices. Records of inventories shall be maintained for 5 years from the date of each inventory, and shall include the information required in 10 CFR 35.59(g).
16. A. Detector cells containing a titanium tritide foil or a scandium tritide foil shall only be used in conjunction with a properly operating temperature control mechanism which prevents the foil temperature from exceeding that specified by the manufacturer and approved by U.S. Nuclear Regulatory Commission.
- B. When in use, detector cells containing a titanium tritide foil or a scandium tritide foil shall be vented to the outside.
17. The licensee is authorized to transport licensed material only in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."

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18. Sealed sources or detector cells containing licensed material shall not be opened or sources removed from source holders by the licensee.
19. Experimental animals, or the products from experimental animals, that have been administered licensed materials shall not be used for human consumption.
20. Pursuant to 10 CFR 20.1302(c) and 10 CFR 20.2002, the licensee is authorized to dispose of licensed material by incineration provided the gaseous effluent from incineration does not exceed the limits specified for air in Appendix B, Table II, 10 CFR Part 20.
21. The licensee is authorized to hold radioactive material with a physical half-life of less than 65 days for decay-in-storage before disposal in ordinary trash provided:
- A. Radioactive waste to be disposed of in this manner shall be held for decay a minimum of 10 half-lives.
  - B. Before disposal as ordinary trash, byproduct material shall be surveyed at the container surface with the appropriate meter set on its most sensitive scale and with no interposed shielding to determine that its radioactivity cannot be distinguished from background. All radiation labels shall be removed or obliterated.
  - C. Generator columns shall be segregated so that they may be monitored separately to ensure decay to background levels prior to disposal.
  - D. A record of each disposal permitted under this License Condition shall be retained for 3 years. The record must include the date of disposal, the date on which the byproduct material was placed in storage, the radionuclides disposed, the survey instrument used, the background dose rate, the dose rate measured at the surface of each waste container, and the name of the individual who performed the disposal.
22. The licensee shall not use licensed material in or on human beings except as provided otherwise by specific condition of this license.
23. Notwithstanding the requirements of 10 CFR 35.51(a)(93), the licensee may record the apparent exposure rate from its check source upon receipt from the calibration facility.
24. In addition to the possession limits in Condition 8, the licensee shall further restrict the possession of unsealed licensed material to quantities less than  $10^5$  times the applicable limits in appendix B of 10 CFR Part 30 as specified in 10 CFR 30.35(d).
25. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. This license condition applies only to those procedures that are required to be submitted in accordance with the regulations. Additionally, this license condition does not limit the licensee's ability to make changes to the radiation protection program as provided for in 10 CFR 35.26.

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The U.S. Nuclear Regulatory Commission's regulations shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the regulations.

- A. Application dated January 13, 1994 (excluding the Quality Management Program)
- B. Letter dated February 2, 1995
- C. Letter dated May 8, 1995
- D. Letter dated September 6, 2001
- E. Letter dated November 1, 2002



FOR THE U.S. NUCLEAR REGULATORY COMMISSION

IRA

Date January 23, 2003

By \_\_\_\_\_

James L. Montgomery, Health Physicist  
Nuclear Materials Licensing Branch  
Region IV  
Arlington, Texas 76011