



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

March 15, 2005

Docket No. 03003191
Control No. 136586

License No. 37-13499-01

Mary L. Eckert
Chief Executive Officer
Millcreek Community Hospital
5515 Peach Street
Erie, PA 16509

**SUBJECT: MILLCREEK COMMUNITY HOSPITAL, ISSUANCE OF LICENSE
AMENDMENT, CONTROL NO. 136586**

Dear Ms. Eckert:

This refers to your license amendment request. Enclosed with this letter is the amended license. Please note that your license was written in a format compatible with the revised 10 CFR Part 35, effective October 24, 2002.

Please review the enclosed document carefully and be sure that you understand and fully implement all the conditions incorporated into the amended license. Please note the last condition on your license indicates that, "This license condition applies only to those procedures that are required to be submitted in accordance with the regulations." Therefore, any procedures submitted that were not required by regulation to be submitted, e.g., calibration of dose calibrators, will not be considered a part of your license and were not reviewed during the licensing process. These procedures will be reviewed during inspections, as necessary. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region I Office, Licensing Assistance Team, (610) 337-5239, so that we can provide appropriate corrections and answers.

An environmental assessment for this action is not required, since this action is categorically excluded under 10 CFR 51.22(c)(14).

Current NRC regulations and guidance are available at the NRC Web sites listed below or by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 9:00 p.m. EST, Monday through Friday (except Federal holidays).

M. Eckert
Millcreek Community Hospital

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Thank you for your cooperation.

Sincerely,

Original signed by Richard McKinley

Richard McKinley
Health Physicist
Medical Branch
Division of Nuclear Materials Safety

Enclosure:
Amendment No. 25

NRC Web site addresses
NRC regulations

<http://www.nrc.gov/reading-rm/doc-collections/cfr/>

Licensing guidance

<http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/>

General Policy and Procedure for NRC Enforcement Actions

<Http://www.nrc.gov/what-we-do/regulatory/enforcement/enforc-pol.pdf>

206 of the Energy Reorganization Act of 1974

<http://www.nrc.gov/who-we-are/governing-laws.html>

cc:

Russell Reichter, M.D., Radiation Safety Officer

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OFFICE	DNMS/RI	N	DNMS/RI		DNMS/RI			
NAME	RMcKinley/RWM1							
DATE	3/15/2005							

OFFICIAL RECORD COPY

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.

<p style="text-align: center;">Licensee</p> <p>1. Millcreek Community Hospital</p> <p>2. 5515 Peach Street Erie, Pennsylvania 16509</p>	<p>In accordance with the letters dated February 28 and March 14, 2005,</p> <p>3. License number 37-13499-01 is amended in its entirety to read as follows:</p> <hr/> <p>4. Expiration date October 31, 2012</p> <hr/> <p>5. Docket No. 030-03191 Reference No.</p>
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<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Any byproduct material permitted by 35.100</p> <p>B. Any byproduct material permitted by 35.200</p> <p>C. Any byproduct material permitted by 35.300</p>	<p>7. Chemical and/or physical form</p> <p>A. Any</p> <p>B. Any</p> <p>C. Any</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. As needed</p> <p>B. As needed</p> <p>C. 300 millicuries</p>
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9. Authorized use:
- A. Any uptake, dilution and excretion study permitted by 10 CFR 35.100.
 - B. Any imaging and localization study permitted by 10 CFR 35.200.
 - C. Any diagnostic study or therapy procedure permitted by 10 CFR 35.300, for which the patient can be released under the provisions of 10 CFR 35.75.

CONDITIONS

- 10. Licensed material may be used or stored only at the licensee's facilities located at 5515 Peach Street, Erie, Pennsylvania.
- 11. The Radiation Safety Officer for this license is Russell Reichter, M.D.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**License Number
37-13499-01Docket or Reference Number
030-03191

Amendment No. 25

12. Licensed material is only authorized for use by, or under the supervision of:
- A. Individuals permitted to work as an authorized user in accordance with 10 CFR 35.13 and 35.14.
 - B. The following individuals are authorized users for medical use as indicated:
- | <u>Authorized Users</u> | <u>Material and Use</u> |
|-------------------------|-------------------------|
| Carmine D'Amico, D.O. | 35.200 |
| Russell Reichter, M.D. | 35.100; 35.200; 35.300 |
| Frank M. Fayz, M.D. | 35.100; 35.200 |
13. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of licensed material to quantities below the minimum limit specified in 10 CFR 30.35(d), 40.36(b), and 70.25(d) for establishing decommissioning financial assurance.
14. The licensee is authorized to transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**License Number
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15. 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. 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. Letter dated September 27, 2002
 - B. Application dated May 31, 2002
 - C. Letter (with attachment) dated March 19, 2004
 - D. Letter (with attachment) dated August 30, 2004



For the U.S. Nuclear Regulatory Commission

Original signed by Richard McKinleyDate March 15, 2005

By _____

Richard McKinley
Medical Branch
Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406