



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-4005

May 23, 2005

Kona Community Hospital
ATTN: Ronald Frick, CHP
Radiation Safety Officer
79-1019 Haukapila Street
Kealahou, Hawaii 96750

SUBJECT: LICENSE AMENDMENT - NOTIFICATION PER 10 CFR 35.14(a) and (b)(1)

Please find enclosed Amendment No. 05 for License 53-27729-01, **which removes Steven D. Stowell, M.D., from the license.** An environmental assessment for this action is not required, since this action is categorically excluded under 10 CFR 51.22(c)(14)(iv). You should review this license carefully and be sure that you understand all conditions. If you have any questions, please contact me at 817-860-8217.

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. By 10 CFR 30.36(d) 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 whether at the entire site or any separate building or outdoor area;
 - b. If you decide not to acquire or possess and use authorized material; or
 - c. When no principal activities under the license have been conducted for a period of 24 months.
4. Request and obtain a license amendment before you:
 - a. Change Radiation Safety Officers;
 - b. Order byproduct material in excess of the amount, radionuclide 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, except for areas of use where byproduct material is used only in accordance with either 10 CFR 35.100 or 35.200; or
 - d. Change the name or ownership of your organization.

5. 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. Since the NRC also accepts a letter requesting amendment of an NRC license, the signatory for such a request should also 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 NRC Enforcement Policy.

The NRC no longer publishes the NRC Rules and Regulations loose leaf supplements due to budget constraints. However, an electronic version of the NRC's regulations is available on the NRC Web site at www.nrc.gov. To view these regulations, highlight "Electronic Reading Room" and choose "Regulations" on the drop down menu. An electronic version of the NUREG-1556 Series publications is also available on the NRC Web site. To view these guidance documents, highlight "Electronic Reading Room"; choose "All Document Types" on the drop down menu; scroll down to "NUREG-Series Publications"; and select "Publications Prepared by the NRC Staff". Then, choose "NUREG-1556" from the table and select the appropriate volume(s) for your license type.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Thank you for your cooperation.

Sincerely,

/RA/

Christi Maier, Health Physicist
Nuclear Materials Licensing Branch

Docket: 030-35998
License: 53-27729-01
Control: 470480

Enclosure: As stated

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. Kona Community Hospital</p> <p>2. 79-1019 Haukapila Street Kealakekua, Hawaii 96750</p>	<p>In accordance with letter dated March 10, 2005,</p> <p>3. License number 53-27729-01 is amended in its entirety to read as follows:</p> <hr/> <p>4. Expiration date June 30, 2012</p> <hr/> <p>5. Docket No. 030-35998 Reference No.</p>
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| <p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Any byproduct material identified in 10 CFR 35.100</p> <p>B. Any byproduct material identified in 10 CFR 35.200</p> <p>C. Any byproduct material identified in 10 CFR 35.300</p> | <p>7. Chemical and/or physical form</p> <p>A. Any radiopharmaceutical identified in 10 CFR 35.100</p> <p>B. Any radiopharmaceutical identified in 10 CFR 35.200</p> <p>C. Any radiopharmaceutical identified in 10 CFR 35.300</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. 3.3 curies total (no single container to exceed 300 millicuries)</p> |
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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.

CONDITIONS

- 10. Licensed material may be used or stored only at the licensee's facilities located at 79-1019 Haukapila Street, Kealakekua, Hawaii.
- 11. The Radiation Safety Officer for this license is Ronald Frick, M.S., CHP.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number
53-27729-01

Docket or Reference Number
030-35998

Amendment No. 05

12. Licensed material listed in Item 6 above is only authorized for use by, or under the supervision of the following individuals for the materials and uses indicated:

<u>Authorized Users</u>	<u>Material and Use</u>
Rodney Matsubara, M.D.	10 CFR 35.100 and 35.200
David W. Brown, M.D.	10 CFR 35.100, 35.200 and 35.300
George R. Ainge, M.D.	10 CFR 35.100, 35.200 and 35.300
David Camacho, M.D.	10 CFR 35.100, 35.200 and 35.300
Scott Grosskreutz, M.D.	10 CFR 35.100, 35.200 and 35.300
Harvey Nakamura, M.D.	10 CFR 35.100, 35.200 and 35.300
Michael J. Seu, M.D.	10 CFR 35.100, 35.200 and 35.300
Lori L. Wilhem, M.D.	10 CFR 35.100, 35.200 and 35.300
Robert Saito, M.D.	10 CFR 35.100, 35.200 and 35.300
Ming Yu Peng, M.D.	10 CFR 35.100, 35.200 and 35.300
Philip L. Manzanero, M.D.	10 CFR 35.100, 35.200 and 35.300
Eric Wyatt, M.D.	10 CFR 35.100, 35.200 and 35.300

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) for establishing financial assurance for decommissioning.
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
53-27729-01Docket or Reference Number
030-35998

Amendment No. 05

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. Application dated April 2, 2002
 - B. Facsimile dated July 24, 2003



FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date: May 23, 2005By: /RA/
Christi Maier, Health Physicist
Nuclear Materials Licensing Branch
Region IV
Arlington, Texas 76011