



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
2443 WARRENVILLE ROAD STE 210
LISLE, ILLINOIS 60532-4352

AUG 01 2005

Mary Foshager, M.D.
Radiation Safety Officer
Fairview Ridges Hospital
201 East Nicollet Boulevard
Burnsville, MN 55337

Dear Dr. Foshager:

Enclosed is Amendment No. 13 renewing your NRC Material License No. 22-24306-01 in accordance with your request. Please note that some of the changes made to your license are printed in **bold** font. Your license has been issued for a ten year term and will not expire until August 31, 2015.

Please be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region III office at (630) 829-9887 so that we can provide appropriate corrections and answers.

- A. **Please note that two sections of your renewed license are incomplete.** My attempts to reach your consultant, Sue Weiss, by telephone on August 1, 2005, to discuss these matters were unsuccessful.

Therefore, I have temporarily continued your authorization in Subitem Nos. 6., 7., 8., and 9. D., E. and F. Please provide the additional information required to complete your license within 30 days of the date of this letter and address your response to my attention, referencing it as "additional information to control number 314142" to facilitate proper handling. If additional time is necessary to prepare your response please contact me to discuss a revised due date.

When my review of your response is completed, I will amend your license to authorize the appropriate manufacturers, model number, corresponding radionuclides and possession limits for the materials in 10 CFR 35.400 and 35.500 that you wish to use.

Please clarify and/or provide the following information to complete the renewal of your license:

1. Please provide the radionuclides, manufacturer's names, model numbers and possession limits for all sealed sources you possess or intend to possess under 10 CFR 35.400 and 35.500. Please note that the information you provide to us must match up exactly with the manufacturer - provided data in the Sealed Source and Device Registry.

In addition, I noted that, although authorization for sealed sources in 10 CFR 35.500 was not requested in your renewal, the authorized users' authorizations still included this material. Therefore, I concluded that it was your intention to continue authorization for materials in 10 CFR 35.500.

Please contact me at one of the telephone numbers below if you need assistance or

have questions. You may also refer to NUREG 1556, Vol. 9, Rev. 1, Section 8.5, Item 5 and Appendix C, Table C.2, Items 5 and 6. This document is also available on our website at "<http://www.nrc.gov>"

2. Please also clarify the spelling of two physician's names as they differed between the renewal request application and your license. Please clarify the spelling of John A. Kosiak, M.D., as it appears to be "Koslak" in the renewal application. Please clarify the spelling of Bernard C. Baier, M.D., as it appears to be "Baler" in the renewal application. I retained the current spellings from Amendment No. 12 until this is resolved.
 3. Please also be reminded of the requirements in 10 CFR 30.9, which states, in part, that "(a) Information provided to the Commission by an applicant for a license or by a licensee or information required by statute or by the Commission's regulations, orders, or license conditions to be maintained by the applicant or the licensee shall be complete and accurate in all material respects (emphasis added)." 10 CFR Part 30 is available on our website at "<http://www.nrc.gov>" for your use.
 4. If you have further questions concerning these matters please contact me at either (630) 829-9841 or (800) 522-3025, ext. 9841.
- B. Please be advised that your license expires at the end of the day, in the month, and year stated in the license. Unless your license has been terminated, you must conduct your program involving byproduct materials in accordance with the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:
1. Operate in accordance with NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers; Inspections," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
 2. Notify NRC, in writing, within 30 days, pursuant to 10 CFR 35.14:
 - a. When the Radiation Safety Officer permanently discontinues performance of duties under the license or has a name change; or
 - b. When the mailing address listed on the license changes.
 3. In accordance with 10 CFR 30.36(b) and/or license condition, notify NRC, promptly, in writing, and request termination of the license when a decision is made to terminate all activities involving materials authorized under the license.
 4. Request and obtain a license amendment before you:
 - a. Change Radiation Safety Officers, except as provided in 10 CFR 35.24©);
 - b. Order byproduct material in excess of the amount, or radionuclide, or form different than authorized on the license;
 - c. Add or change the areas of use or the address or addresses of use identified

in the license application or on the license, pursuant to 10 CFR 35.13(e), 10 CFR 35.13(f) and 10 CFR 35.14(b)(4); or

- d. Change ownership of your organization.
5. Submit a complete renewal application or termination request at least 30 days before the expiration date of your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of byproduct material after your license expires is a violation of NRC regulations. A license will not normally be renewed, except on a case-by-case basis, in instances where licensed material has never been possessed or used.

In addition, please note that NRC Form 313 requires the applicant, by his/her 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 an application for medical use must be the licensee's management, as required by 10 CFR 35.12(a).

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). The NRC's document system is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. The enclosed license document is exempt from public disclosure in accordance with 10 CFR 2.390, because its disclosure to unauthorized individuals could present a security vulnerability.

You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you. This could include issuance of a notice of violation, or 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. Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken when dealing with licensees who do not achieve the necessary meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

Sincerely,



Colleen Carol Casey
Materials Licensing Branch

License No. 22-24306-01
Docket No. 030-18458

Enclosure:

Amendment No. 13