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801 Ostrum Street
Bethlehem, PA 18015
610-954-4000

Br. 1

October 13, 2006

US Nuclear Regulatory Commission, Region I
Medical Licensing Division
475 Allendale Road
King of Prussia, PA 19406-1415

Dear Sir or Madame,

03002100

Please amend our byproduct materials license, 37-07939-01, to remove the use and possession of depleted Uranium 235, 160 kg, as Cd-plated metal. Please also delete the use and possession of 10 CFR 31.11 materials. Please find enclosed a copy of the radioactive material license of the recipient of the depleted Uranium. Other materials to support this transfer were submitted to Shirley Xu, of your office, following a recent inspection. Since these materials have not been used at any campus other than the Bethlehem Campus, and since the cessation of their use was over ten years ago, the final or "close-out" survey is no longer available (personnel present at that time are no longer employees of SLHN, and current staff do not maintain these records), but a "close-out survey" was performed for this area at the time of cessation of operations, prior to turn-over for unrestricted use of that area.

Sincerely,

Lisa Dutterer, Associate V.P.
SLHN, Bethlehem Campus

139601
BEST PLACES
to work in PA

**RS&A**

PROVIDING YOU WITH A CHOICE.

Fax

To: Kim, St. Luke's Hospital**From:** Jill Drennan *JDL***Fax:** 610-954-4671**Pages:** 03, including cover**Phone:** 610-954-4708**Date:** October 4, 2006**Re:** Machine Info, s/n 137**CC:**

Urgent For Review Please Comment Please Reply Please Recycle

Please accept this fax as acknowledgement that RS&A, Inc. procured a Varian Clinac 4 linear accelerator, serial number 137, from St. Luke's Hospital in Bethlehem, PA. This machine was removed from the facility and transported to the RS&A, Inc. warehouse in Rural Hall, NC, on or about July 14, 2003.

The depleted uranium, which RS&A, Inc. is authorized to possess, use, and transfer, was placed in the control area of the warehouse, and the machine was later scrapped for parts and then disposed of to Atlantic Scrap and Processing, LLC in Winston-Salem, NC, on or about April 20, 2005.

Please find the following NCDENR Accelerator License of RS&A, Inc. for additional information.

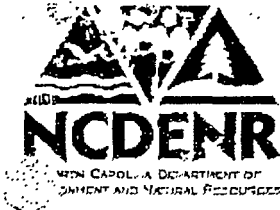
I can be reached at the numbers below or at jdrennan@rsainc.net with any questions or concerns. Thanks!!

This information is confidential and is entrusted to the person whose name appears on this form. Unauthorized use of this information is a breach of confidentiality. If you receive this fax in error, please contact the number above.

RS&A INCORPORATED

465 FORUM PARKWAY • RURAL HALL, NC - 27045-8927

VOICE: 336-969-0583 / 800-320-4332 FAX: 336-969-0584 - www.rsa-inc.com



**RADIOACTIVE MATERIALS BRANCH
RADIATION PROTECTION SECTION
N. C. DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
ACCELERATOR LICENSE**

Pursuant to North Carolina Regulations for Protection Against Radiation and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, own, possess, transfer, and import the accelerator(s) listed below; and use such accelerator(s) for the purpose(s) and at the place(s) designated below. This License is subject to all applicable rules and regulations of the North Carolina Department of Environment and Natural Resources now and hereafter in effect and to any conditions specified below.

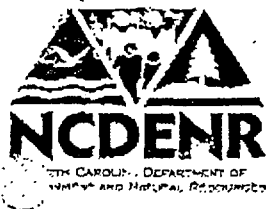
<p>1. Licensee Name: RS&A, Inc.</p> <p>2a. Mailing Address: 465 Forum Parkway Rural Hall, NC 27045</p> <p>b. Physical Address: 465 Forum Parkway Rural Hall, NC 27045</p> <p>c. Radiation Safety Officer: Roger Wood</p>	<p>3. License No: 034-1262-A1</p> <p>4. Expiration Date: May 31, 2007</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:33%;">New License</td> <td style="width:10%; text-align: center;">X</td> <td style="width:33%;">Routine</td> <td style="width:24%;"></td> </tr> <tr> <td>Renewal</td> <td></td> <td>Administrative</td> <td></td> </tr> </table> <p>5.a. Amendment No.: 3</p> <p>b. Issuance Date: December 4, 2003</p>	New License	X	Routine		Renewal		Administrative	
New License	X	Routine							
Renewal		Administrative							

6. Manufacturer and Type of Unit(s)	7. Maximum Energy (MeV)	8. Number of Units and Exposure Rate in R per minute at One Meter
A. Varian Clinac	A. None Authorized	A. 10 units: No authorized exposure rate
B. Seimens Mevatron	B. None Authorized	B. 7 units: No authorized exposure rate
C. GE Saturne	C. None Authorized	C. 1 unit: No authorized exposure rate
D. Elektra SLI/Precise	D. None Authorized	D. 1 unit: No authorized exposure rate
E. Mitsubishi	E. None Authorized	E. 1 unit: No authorized exposure rate.

9. Authorized Use:
A. - E. For storage only.

CONDITIONS

10. The authorized place of use is the licensee's address stated in Item 2b above.
 11. The licensee shall comply with the provisions of 15A NCAC 11 .0900 "Requirements for Particle Accelerators," 15A NCAC 11 .1600 "Standards for Protection Against Radiation," and 15A NCAC 11 .1000 "Notices, Instructions, Reports and Inspections." (The North Carolina Regulations for Protection Against Radiation are contained in 15A NCAC 11.)
 12. The accelerator parts shall be used by Kenneth Wolff or Roger Wood.
 - A. The Radiation Safety Officer for the activities authorized by this license shall be Roger Wood.
 13. The licensee is not authorized to energize the accelerator for the purpose of producing a photon or electron beam.
 14. The licensee is authorized to possess, use, and transfer the Uranium contained as shielding material in the accelerator unit(s) authorized by this license.
- The licensee shall annually review its Radiation Protection Program for content and implementation [Ref. 15A NCAC 11 .1603(c)]. Documentation of the Radiation Protection Program reviews shall be retained for inspection by the agency [Ref. 15A NCAC 11 .1636]



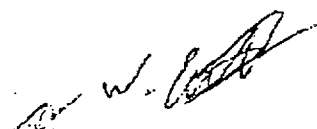
RADIOACTIVE MATERIALS BRANCH
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N. C. DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Page 2 of 2
License No.: 034-(262-A)

ACCELERATOR LICENSE

CONDITIONS (continued):

16. The licensee shall institute the provisions of 15A NCAC 11 .1610 when an occupationally exposed woman voluntarily informs her supervisor, in writing, of her pregnancy and the estimated date of conception.
17. The licensee shall ensure that no individual "member of the public" [Ref. 15A NCAC 11 .0104(64)] receives a radiation dose in excess of the limits specified in 15A NCAC 11 .1611(a) while conducting licensed activities.
18. Neither this license nor any subsequent amendments shall be deemed to constitute compliance with the requirements for health planning review contained in the Certificate of Need Statute, G.S. 131-175 *et seq.*, and regulations promulgated pursuant to that statute. Inquiries concerning the Certificate of Need Statute should be addressed to the Certificate of Need Section of the Division of Facility Services at (919) 733-6360.
19. This license may be subject to amendment, revision, modification, suspension, or revocation in accordance with the provisions of 15A NCAC 11 .0344.
20. Except as specifically provided otherwise by this license, the licensee shall possess and use the accelerator(s) described in Items 6., 7., and 8. of this license in accordance with statements, representations and procedures and attachments listed below. The North Carolina Regulations for Protection Against Radiation shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the regulations.
 - A. Application with attachments dated May 8, 2002, signed by Kenneth Wolff, President.
 - B. Amendment application dated July 31, 2002 signed by Roger E. Wood, Vice President, RSO.
 - C. Letter dated November 5, 2002, and the facsimile with attachment dated December 10, 2002, both signed by Kenneth Wolff, President.
 - D. Facsimile dated March 27, 2003, signed by Kenneth Wolff, President, facsimile with attachments dated September 4, 2003, signed by Jill Drennan, Office Manager, and the facsimile with attachments dated October 14, 2003, signed by Kenneth Wolf, President.



For: Beverly O. Hall
Chief, Radiation Protection Section

This is to acknowledge the receipt of your letter/application dated

10/13/2006, and to inform you that the initial processing which includes an administrative review has been performed.

Amendment 37-07939-01 There were no administrative omissions. Your application was assigned to a technical reviewer. Please note that the technical review may identify additional omissions or require additional information.

Please provide to this office within 30 days of your receipt of this card

A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned Mail Control Number 139601.
When calling to inquire about this action, please refer to this control number.
You may call us on (610) 337-5398, or 337-5260.