



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

November 22, 2006

Docket No. 03007565
Control No. 139576

License No. 07-14850-01

Dennis Klima
President/CEO
Bayhealth Medical Center
Kent General Hospital
640 South State Street
Dover, DE 19901

SUBJECT: BAYHEALTH MEDICAL CENTER, LICENSE AMENDMENT, CONTROL NO.
139576

Dear Mr. Klima:

This refers to your license amendment request dated October 2, 2006. Enclosed with this letter is the amended license.

Please review the enclosed document carefully and be sure that you understand and fully implement all the conditions incorporated into the amended license. 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 included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, Academic, and Industrial Uses of Nuclear Material**; then **Toolkit Index Page**. Or you may obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 8:00 p.m. EST, Monday through Friday (except Federal holidays).

Thank you for your cooperation.

Sincerely,

Original signed by Shirley Xu

Shirley Xu
Health Physicist
Medical Branch
Division of Nuclear Materials Safety

Enclosure:
Amendment No. 46

D. Klima
Bayhealth Medical Center

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cc:
Rachel Taylor, M.D., Radiation Safety Officer

DOCUMENT NAME: C:\FileNet\ML063320335.wpd

SUNSI Review Complete: SXu

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NAME	SXu /SSX/						
DATE	11/22/06						

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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 1. Bayhealth Medical Center, Kent General Hospital 2. 640 South State Street Dover, Delaware 19901	In accordance with the letter received October 2, 2006, 3. License number 07-14850-01 is amended in its entirety to read as follows: 4. Expiration date May 31, 2014 5. Docket No. 030-07565 Reference No.
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6. Byproduct, source, and/or special nuclear material A. Any byproduct material permitted by 10 CFR 35.100 B. Any byproduct material permitted by 10 CFR 35.200 C. Any byproduct material permitted by 10 CFR 35.300 D. Any byproduct material permitted by 10 CFR 35.400 E. Any byproduct material permitted by 10 CFR 35.500 F. Yttrium 90	7. Chemical and/or physical form A. Any B. Any C. Any D. Sealed Sources (Mills Biopharmaceuticals, Inc. Model I-125SL; Bard Brachytherapy, Inc. Model STM 1251; Best Medical International Model 2301; Best Medical International Model 81-01; and Amersham Corporation Model CDCT1) E. Sealed Sources (Isotope Products Laboratory Model 301B or DuPont Merck Model NES-8424) F. Any	8. Maximum amount that licensee may possess at any one time under this license A. As needed B. As needed C. 1100 millicuries D. 4700 millicuries E. 323 millicuries per source and 700 millicuries total F. 110 millicuries
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9. Authorized use:

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number
07-14850-01

Docket or Reference Number
030-07565

Amendment No. 46

- 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.
 D. Any manual brachytherapy procedure permitted by 10 CFR 35.400.
 E. Diagnostic medical use of sealed sources permitted by 10 CFR 35.500 in compatible devices registered pursuant to 10 CFR 30.32(g).
 F. For use in calibrating instruments.

CONDITIONS

10. Licensed material may be used or stored only at the licensee's facilities located at 640 South State Street, Dover, Delaware. Licensed material in Item 6.C., for which the patient can be released according to the provisions of 10 CFR 35.75, may be used or stored at 793 South Queen Street, Dover, Delaware.
11. 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>
Rachel Taylor, M.D.	35.100; 35.200; 35.300; 35.500
Victoria Kong, M.D.	35.100; 35.200; oral administration of sodium iodide iodine-131 for imaging and localization studies; and 35.500
Martin Begley, M.D.	35.100; 35.200; and oral administration of sodium iodide iodine-131 for imaging and localization studies
Raphael Caccese, M.D.	35.100; 35.200; and oral administration of sodium iodide iodine-131 for imaging and localization studies
Thomas Vaughn, M.D.	35.100; 35.200; and oral administration of sodium iodide iodine-131 for imaging and localization studies
Michael Polise, M.D.	35.100; 35.200; and oral administration of sodium iodide iodine-131 for imaging and localization studies

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Authorized Users

Ravi Kasit, M.D.

Michael Amygdalos, M.D.

Vibhu Kapoor, M.D.

John Lahaniatis, M.D.

Material and Use

35.100; 35.200; and oral administration of sodium iodide iodine-131 for imaging and localization studies

35.100; 35.200; and oral administration of sodium iodide iodine-131 for imaging and localization studies

31.100; 35.200

35.300, 35.400

C. The following individuals are authorized users for non-medical uses as indicated:

Users

John Lahaniatis, M.D.

Material and Use

Yttrium 90 for instrument calibration

12. The Radiation Safety Officer for this license is Rachel Taylor, M.D.
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 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."

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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. Application dated February 24, 2004
 - B. Letter dated May 14, 2004



For the U.S. Nuclear Regulatory Commission

Original signed by Shirley XuDate November 22, 2006

By _____

Shirley Xu
Medical Branch
Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406