



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

January 3, 2007

Docket No. 03019970
Control No. 139819

License No. 37-10284-02

F. Nicholas Jacobs
President
Windber Hospital, Incorporated
dba Windber Medical Center
600 Somerset Avenue
Windber, PA 15963

SUBJECT: WINDBER HOSPITAL, INCORPORATED, LICENSE AMENDMENT, CONTROL
NO. 139819

Dear Mr. Jacobs:

This refers to your license amendment request. Enclosed with this letter is the amended license. The old treadmill room may be released for unrestricted use.

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 Penny Lanzisera

Penny Lanzisera
Senior Health Physicist
Medical Branch
Division of Nuclear Materials Safety

F. Jacobs
Windber Hospital, Incorporated

2

Enclosure:
Amendment No. 19

cc:
Lawrence M. McNiesh, M.D., Radiation Safety Officer

DOCUMENT NAME: C:\FileNet\ML070100273.wpd

SUNSI Review Complete: PLanzisera

After declaring this document "An Official Agency Record" it will be released to the Public.

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/ attach/encl "N" = No copy

OFFICE	DNMS/RI	N	DNMS/RI		DNMS/RI			
NAME	PLanzisera /PAN/							
DATE	1/3/07							

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. Windber Hospital, Incorporated dba Windber Medical Center</p> <p>2. 600 Somerset Avenue Windber, Pennsylvania 15963</p>	<p>In accordance with the letter dated December 4, 2006,</p> <p>3. License number 37-10284-02 is amended in its entirety to read as follows:</p> <hr/> <p>4. Expiration date September 30, 2013</p> <hr/> <p>5. Docket No. 030-19970 Reference No.</p>
---	--

- | | | |
|--|---|--|
| <p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Any byproduct material permitted by 10 CFR 35.100</p> <p>B. Any byproduct material permitted by 10 CFR 35.200</p> <p>C. Any byproduct material permitted by 10 CFR 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. 33 millicuries</p> |
|--|---|--|

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 600 Somerset Avenue, Windber, Pennsylvania.
11. The Radiation Safety Officer for this license is Lawrence M. McNiesh, M.D.
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.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number
37-10284-02

Docket or Reference Number
030-19970

Amendment No. 19

B. The following individuals are authorized users for medical use as indicated:

<u>Authorized Users</u>	<u>Material and Use</u>
Harold L. Ringler, Jr., M.D.	35.100; 35.200; Oral administration of Iodine-131 sodium iodide in quantities less than or equal to 33 millicuries
Jonathan I. Abrahams, M.D.	35.100; 35.200; Oral administration of Iodine-131 sodium iodide in quantities less than or equal to 33 millicuries
Lawrence M. McNiesh, M.D.	35.100; 35.200
Anthony J. Scuderi, M.D.	35.100; 35.200; Oral administration of Iodine-131 sodium iodide in quantities less than or equal to 33 millicuries
Howard I. Forman, M.D.	35.100; 35.200
Gary Scott Kramer, M.D.	35.100; 35.200
Ajit N. Shah, M.D.	35.100; 35.200; Oral administration of Iodine-131 sodium iodide in quantities less than or equal to 33 millicuries

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."

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**License Number
37-10284-02Docket or Reference Number
030-19970

Amendment No. 19

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 August 13, 2003, except treadmill area (ML032330433)

B. Letter dated November 1, 2006 (ML063250293)



For the U.S. Nuclear Regulatory Commission

Original signed by Penny Lanzisera

Date January 3, 2007

By

Penny Lanzisera
Medical Branch
Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406