

ACCEPTANCE REVIEW MEMO (ARM)

Licensee: Sidney Health Center **License No.:** 25-19824-01
Docket No.: 030-19288 **Mail Control No.:** 471230
Type of Action: Notify **Date of Requested Action:** 01-02-07
Reviewer Assigned: **ARM reviewer(s):** Torres & Cook

Response	Deficiencies Noted During Acceptance Review
	[] Open ended possession limits. Limit possession. Submit inventory. [] Submit copies of most recent leak test results. [] Add - delete IC license condition. Add IC paragraph in cover letter. [] Split license from cover letter. Add SUNSI marking to license. [] Ask the licensee if they have any type-amount of EPAct Material.

Reviewer's Initials: _____ **Date:** _____

- Yes No Unrestricted release Group 2 or >: Transfer memo to FCDB within 10 days.

Yes No Decommissioning notification should be completed within 30 days.

Yes No Termination request < 90 days from date of expiration

Yes No Expedite (medical emergency, no RSO, location of use/storage not on license, RAM in possession not on license, other)

Yes No TAR needed to complete action.

Branch Chief's and/or Sr. HP's Initials: _____ **Date:** _____

SUNSI Screening according to RIS 2005-31

Yes No **Non-Publicly Available, Sensitive** if any item below is checked

General guidance:

- _____ RAM = or > than Category 3 (Table 1, RIS 2005-31), use Unity Rule
- _____ Exact location of RAM (whether = or > than Category 3 or not)
- _____ Design of structure and/or equipment (site specific)
- _____ Information on nearby facilities
- _____ Detailed design drawings and/or performance information
- _____ Emergency planning and/or fire protection systems

Specific guidance for medical, industrial and academic (above Category 3):

- _____ RAM quantities and inventory
- _____ Manufacturer's name and model number of sealed sources & devices
- _____ Site drawings with exact location of RAM, description of facility
- _____ RAM security program information (locks, alarms, etc.)
- _____ Emergency Plan specifics (routes to/from RAM, response to security events)
- _____ Vulnerability/security assessment/accident-safety analysis/risk assess
- _____ Mailing lists related to security response

Branch Chief's and/or Sr. HP's Initials: RJR **Date:** 1/16/07

Pre-Licensing Screening

Applicant Information:

Control No. 471230

Name: Sidney Health Center	Type of Request: Notify Program Code(s):
Location: MT	License No.: 25-19824-01 Docket No.: 030-19288

STEP 1—Radioactive Materials and Quantities Requested:

Instructions for Step 1: Complete Step 1 for all applications. If all your responses in Step 1 are "No" then do not complete Step 2 (Screening Criteria). Sign and date the completed step-sheet and add it as the sensitive and non-publicly available OAR in ADAMS. If a "yes" response is indicated for any item in Step 1, also complete Step 2. If the type of use is subject to a Security Order or the requirements for increased controls, complete Step 3 (Item A or Item B) without delay.		Yes or No
A.	The request is from a new applicant.	No
B.	NUREG-1556, Volume 20, Section 4.9 indicates a licensing site visit is needed for the requested type of use, e.g., (1) Type A broad scope license, (2) panoramic irradiator containing > 10000 curies, (3) manufacturers or distributors using unsealed radioactive material or significant quantities of sealed material, (4) radioactive waste brokers, (5) radioactive waste incinerators, (6) commercial nuclear laundries, and (7) any other application that in the judgement of the reviewer and cognizant supervisor involves complex technical issues, complex safety questions, or unprecedented issues that warrant a site visit.	No
C.	The applicant requested certain radionuclides and quantities that equal or exceed the Risk Significant Quantity (TBq) values in the table, below, that have been "highlighted" by the reviewer	No

Table of Risk Significant Quantities

(Category 2 Quantities, IAEA Safety Guide No. RS-G-1.9, Categorization of Radioactive Sources, August 2005)

Radionuclide	Risk Significant Quantity (TBq ¹)	Risk Significant Quantity (Ci ¹)	Radionuclide	Risk Significant Quantity (TBq ¹)	Risk Significant Quantity (Ci ¹)
Am-241	0.6	16	Pm-147	400	11,000
Am-241/Be	0.6	16	Pu-238	0.6	16
Cf-252	0.2	5.4	Pu-239/Be	0.6	16
Cm-244	0.5	14	Ra-226 ²	0.4	11
Co-60	0.3	8.1	Se-75	2	54
Cs-137	1	27	Sr-90 (Y-90)	10	270
Gd-153	10	270	Tm-170	200	5,400
Ir-192	0.8	22	Yb-169	3	81

¹ The primary values are TBq. The curie (Ci) values are for informational purposes only.
² The Atomic Energy Act, as amended by the Energy Policy Act of 2005, authorizes NRC to regulate Ra-226 and NRC is in the process of amending its regulations for discrete sources of Ra-226.

Calculations of the Total Activity or the Unity Rule are attached to document whether or not the screening criteria in Step 2 were also completed to evaluate the application. NOTE—If an amendment of an existing license is being requested, the calculations will include the previously authorized quantities for the radionuclide(s).	Yes, No, or Not Applicable (NA)
Total Activity—multiple activities are requested for a single radionuclide and the sum of the activities equals or exceeds the quantity of concern for the radionuclide	—
Unity Rule—multiple radionuclides are requested and the sum of the ratios equals or exceeds unity, e.g., [(total activity for radionuclide A) + (risk significant quantity for radionuclide A)] + [(total activity for radionuclide B) + (risk significant quantity for radionuclide B)] ≥ 1.0.	—

Signature and Date for Step 1:

 1/11/07
 License Reviewer and Date



Date January 2, 2007

United States Nuclear Regulatory Commission
Region IV
Nuclear Materials Safety Branch
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011-8064

ATC

Re: License # 25-19824-01

Dear Sir or Madam:

In accordance with 10 CFR 35.14, we are allowing Brady J. Banta, M.D. and Leszek J. Jaszczak, MD to work at this facility as an authorized user. Attached is a copy of NRC License # 25-23109-01, Holy Rosary Healthcare, which lists Drs. Banta and Jaszczak as an authorized user for use under 10 CFR 35.100 and 35.200. We want to remove three authorized users from our license as they are no longer providing services. They are Mark N. Irion, MD, Arthur E. Fitz, MD, and Dennis S. Yutani, MD.

If you require additional information, please call.

Sincerely,

G. Faul, M.D.

Greg Faul, MD
RSO Sidney Health Center

RECEIVED

JAN 6 8 2007

DNMS

NRC FORM 374

U.S. NUCLEAR REGULATORY COMMISSION

PAGE 1 OF 2 PAGES
Amendment No. 18

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>Licenses</p> <p>1. Holy Rosary Healthcare dba Holy Rosary Hospital 2600 Wilson Street Miles City, Montana 58301</p>	<p>In accordance with letters dated October 2, 2006, and October 3, 2006</p> <p>3. License number 25-23109-01 is amended in its entirety to read as follows:</p> <p>4. Expiration date April 30, 2015</p> <p>5. Docket No. 030-20264 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 34.11</p>	<p>7. Chemical and/or physical form</p> <p>A. Any</p> <p>B. Any</p> <p>Prepackaged kits</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. 10 millicuries</p>
---	---	--

<p>9. Authorized use</p> <p>A. Any uptake, dilution, and excretion study permitted by 10 CFR 35.100.</p> <p>B. Any imaging and localization study permitted by 10 CFR 35.200.</p> <p>C. <u>In vitro</u> studies.</p>
--

CONDITIONS

- 10. Licensed material may be used or stored only at the licensee's facilities located at Holy Rosary Healthcare, 2600 Wilson Street, Miles City, Montana.
- 11. The Radiation Safety Officer for this license is Brady J. Banta, 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, authorized nuclear pharmacist, and/or authorized medical physicist in accordance with 10 CFR 35.13 and 35.14.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number
25-23109-01
Docket or Reference Number
030-20264
Amendment No. 18

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

<u>Authorized Users</u>	<u>Material and Use</u>
W. Allen Hill, M.D.	35.100; 35.200; 31.11
Brady J. Banta, M.D.	35.100; 35.200; 31.11
Leszek J. Jaszczak, M.D.	35.100; 35.200; 31.11
James A. Moeller, D. O.	35.100; 35.200; 31.11

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.

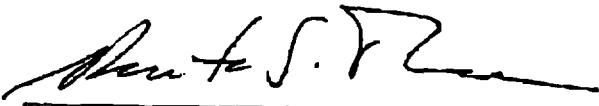
14. The licensee is authorized to transport licensed material only in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."

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 November 01, 2004 (ML043220654)
- B. E-mail dated April 18, 2006 (ML061090079)
- C. Letter dated October 2, 2006 (ML063240523)

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date: December 5, 2006

By: 
Roberto J. Torres, Senior Health Physicist
Nuclear Materials Licensing Branch
Region IV
Arlington, Texas 76011

JAN 16 2007

DATE

This is to acknowledge the receipt of your letter/application dated 01-02-07, and to inform you that the initial processing, which includes an administrative review, has been performed.

There were no administrative omissions. Your application will be 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:

The action you requested is normally processed within - days.

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** 471230.
When calling to inquire about this action, please refer to this mail control number.
You may call me at 817-860-8103.

Sincerely,



Licensing Assistant

BETWEEN:

License Fee Management Branch, ARM
and
Regional Licensing Sections

(FOR LFMS USE)
INFORMATION FROM LTS

: Program Code: 02120
: Status Code: 0
: Fee Category: 7C
: Exp. Date: 20081031
: Fee Comments: CODE 23
: Decom Fin Assur Regd: N
:

LICENSE FEE TRANSMITTAL

A. REGION

1. APPLICATION ATTACHED
Applicant/Licensee: SIDNEY HEALTH CENTER
Received Date: 20070108
Docket No: 3019288
Control No.: 471230
License No.: 25-19824-01
Action Type: Notifications

2. FEE ATTACHED

Amount: _____
Check No.:

3. COMMENTS

Signed _____
Date 01-10-07

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered /)

1. Fee Category and Amount: _____

2. Correct Fee Paid. Application may be processed for:
Amendment _____
Renewal _____
License _____

3. OTHER _____

Signed _____
Date _____

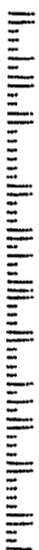


216 14th Avenue S.W.
Sidney, Montana 59270-3586

Address Service Requested

*United States Nuclear Regulatory Commission
Region IV
Nuclear Materials Safety Branch
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011-8064*

7501194005 0001



UNITED STATES POSTAGE
02 1A
0004603175
MAY 19 2007
\$ 00.390
JAN 03 2007
MAILED FROM ZIP CODE 59270
PRIME BOX 5

*10-14824-01
25-19824-88
030-19288*