



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV  
611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-4005

February 6, 2007

St. Mary's Healthcare Center  
ATTN: Barry Monfore, M.D.  
Radiation Safety Officer  
800 East Dakota  
Pierre, South Dakota 57501

SUBJECT: LICENSE AMENDMENT

Please find enclosed Amendment No. 16 to NRC License No. 40-07328-03, **reflecting the name change of your facility.**

NRC's Regulatory Issue Summary (RIS) 2005-31, provides criteria to identify security-related sensitive information and guidance for handling and marking of such documents. This ensures that potentially sensitive information is not made publicly available through ADAMS. The RIS may be located on the NRC Web site at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2005/>. Additionally, the link for frequently asked questions may be located at: <http://www.nrc.gov/reading-rm/faqlist.html>, then select "Withholding of Sensitive Information." Pursuant to NRC's RIS 2005-31, the enclosed materials license will be made publicly available.

An environmental assessment for this action is not required, since this action is categorically excluded under 10 CFR 51.22(c)(14)(iv). You should review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or if you have any questions, please contact me at 925-673-9646.

In addition, please note that NRC Form 313 requires the applicant, by 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 the application should be the licensee or certifying official rather than a consultant. Since the NRC also accepts a letter requesting amendment of an NRC license, the signatory for such a request should also be the licensee or certifying official rather than a consultant.

NRC will periodically inspect your radiation safety program. Failure to conduct your program according to NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC may result in enforcement action against you. This could include issuance of a notice of violation; imposition of a civil penalty; or an order suspending, modifying, or revoking your license as specified in the NRC Enforcement Policy. The NRC Enforcement Policy is available on the following internet address: <http://www.nrc.gov/what-we-do/regulatory/enforcement/enforc-pol.pdf>.

The NRC no longer publishes the NRC Rules and Regulations loose leaf supplements. However, an electronic version of the NRC's regulations is available on the NRC Web site at [www.nrc.gov](http://www.nrc.gov). To view these regulations, highlight "Electronic Reading Room" and choose "Regulations" on the drop down menu. An electronic version of the NUREG-1556 Series publications is also available on the NRC Web site. To view these guidance documents, highlight "Electronic Reading Room," choose "All Collections" on the drop down menu; choose

"NUREGS (NRC Reports)" and select "Publications Prepared by the NRC Staff." Then, choose "NUREG-1556" from the table and select the appropriate volume(s) for your license type.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Thank you for your cooperation.

Sincerely,

**\RA\**

James L. Montgomery, Health Physicist  
Nuclear Materials Licensing Branch

Docket: 030-12639  
License: 40-07328-03  
Control: 471193

Enclosures: As stated

**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. St. Mary's Healthcare Center</p> <p>2. 800 East Dakota Pierre, South Dakota 57501</p>	<p>In accordance with facsimile dated December 5, 2006</p> <p>3. License number 40-07328-03 is amended in its entirety to read as follows:</p> <p>4. Expiration date May 31, 2013</p> <p>5. Docket No. 030-12639 Reference No.</p>
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<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>7. Chemical and/or physical form</p> <p>A. Any</p> <p>B. 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>
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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.

CONDITIONS

- 10. Licensed material may be used or stored only at the licensee's facilities located at St. Mary's Healthcare Center, 800 East Dakota, Pierre, South Dakota.
- 11. The Radiation Safety Officer for this license is Barry Scott Monfore, M.D.
- 12. Licensed material listed in Item 6 above 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 the materials and uses indicated:
 

<u>Authorized Users</u>	<u>Material and Use</u>
Barry Scott Monfore, M.D.	10 CFR 35.100 and 35.200

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**License Number  
40-07328-03Docket or Reference Number  
030-12639

Amendment No. 16

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."
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 December 31, 2002
  - B. Letter dated April 27, 2006
  - C. Facsimile dated December 5, 2006

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

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Date February 6, 2007

By

James L. Montgomery, Health Physicist  
Nuclear Materials Licensing Branch  
Region IV  
Arlington, Texas 76011