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

March 12, 2008

Docket No. 03029484 License No. 47-24864-01
Control No. 141721

D. Parker Haddix
Chief Operating Officer
Davis Memorial Hospital
P. O. Box 1484
Elkins, WV 26241-1484

SUBJECT: DAVIS MEMORIAL HOSPITAL, LICENSE AMENDMENT, CONTROL NO. 141721

Dear Mr. Haddix:

This refers to your license amendment request. Enclosed with this letter is the amended license. Please note that the material authorization for Dr. Randall Blackburn includes 35.300 and 35.400. This covers the use of unsealed byproduct material and manual brachytherapy sources for therapy. It does not include the use of an iridium-192 High Dose Rate (HDR) remote afterloader unit, which is permitted by 35.600 and is not included on your NRC license. The hospital will have to request an amendment to add HDR permitted by 35.600. In addition, there is no requirement to add Dr. Jagdish Bhatnagar as an Authorized Medical Physicist (AMP) for the material authorization currently listed on the license. If the hospital added the use of a HDR remote afterloader unit or a strontium-90 eye applicator for ophthalmic treatments sometime in the future, then an AMP authorization would be required.

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 **Regulations, Guidance, and Communications.** You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. 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 Willie J. Lee

Willie J. Lee
Health Physicist
Medical Branch
Division of Nuclear Materials Safety

Enclosure:
Amendment No. 19

cc:
Steven Barnett, M.D., Radiation Safety Officer

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Amendment No. 19

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. Davis Memorial Hospital	In accordance with the letter dated January 25, 2008, 3. License number 47-24864-01 is amended in its entirety to read as follows:
2. P. O. Box 1484 Elkins, West Virginia 26241-1484	4. Expiration date: March 31, 2012 5. Docket No. 030-29484 Reference No.

6. Byproduct, source, and/or special nuclear material	7. Chemical and/or physical form	8. Maximum amount that licensee may possess at any one time under this license
A. Any byproduct material permitted by 10 CFR 35.100	A. Any	A. As needed
B. Any byproduct material permitted by 10 CFR 35.200	B. Any	B. As needed
C. Any byproduct material permitted by 10 CFR 35.300	C. Any	C. As needed, not to exceed 55.5 gigabecquerels (GBq) (1.5 curies (Ci)) of I-131
D. Any byproduct material permitted by 10 CFR 35.400	D. Sealed sources (Amersham OncoSeed 6711, EchoSeed 6733; Best Industries 2301; Draximage LS-1;Ibt Intersource 1251L; Implant Science Corp 3500; Mills Biopharmaceuticals Prostaseed SL-125. SH-125; North American Scientific Prospera MED 3631-AM, IsoAid IAI-125A; Nucletron SelectSeed 130.002; SourceTech Medical STM1251 Theragenics IsoSeed BEBIG GmbH)	D. I-125 not to exceed 37 GBq (1 Ci)

MATERIALS LICENSE
SUPPLEMENTARY SHEET

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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.
   C. Any diagnostic study or therapy procedure permitted by 10 CFR 35.300.
   D. Any manual brachytherapy procedure permitted by 10 CFR 35.400.

CONDITIONS

10. Licensed material may be used or stored only at the licensee's facilities located at Reed Street and Gorman Avenue, Elkins, West Virginia.

11. The Radiation Safety Officer for this license is Steven Barnett, 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.

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

Authorized Users	Material and Use
Steven Barnett, M.D.	35.100; 35.200
Charles D. Burtner, M.D.	35.100; 35.200; 35.300
Frederick J. Gabriel, M.D.	35.100; 35.200; 35.300
Timothy B. Hetzer, M.D.	35.100; 35.200
Jon LaPlante, M.D.	35.100; 35.200; 35.300
John Leon, M.D.	35.100; 35.200; 35.300
Walter Parke Thrush, M.D.	35.100; 35.200; 35.300
Scott V. Watkins, M.D.	35.400
Randall Blackburn, D.O.	35.300; 35.400

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.

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MATERIALS LICENSE
SUPPLEMENTARY SHEET

14. Sealed sources or detector cells containing licensed material shall not be opened or sources removed from source holders by the licensee.

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

16. 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 9, 1991	
B.	Application dated January 31, 1992	
C.	Letter dated September 29, 1993	
D.	Letter dated October 19, 2000	[ML003762635]
E.	Letter dated May 9, 2001	[ML011410562]
F.	Application dated October 24, 2001	[ML012990321]
G.	Application dated January 31, 2002	[ML020860381]
H.	Letter dated March 11, 2002	[ML020860379]
I.	Application dated May 1, 2003	
J.	Letter dated May 21, 2003	[ML031420775]
K.	Letter dated July 22, 2003	[ML032060305]
L.	Letter dated January 20, 2004	[ML040300627]
M.	Letter dated April 13, 2004	[ML041260082]
N.	Letter dated May 26, 2004 (fax)	
O.	Letter dated July 27, 2004	[ML042170103]
P.	Application dated June 4, 2007	[ML0717003110]

For the U.S. Nuclear Regulatory Commission

Original signed by Willie J. Lee

Date March 12, 2008

Willie J. Lee
Medical Branch
Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406-1415