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

March 27, 2008

Kootenai Medical Center
ATTN: David E. Davenport, M.D.
Radiation Safety Officer
2003 Lincoln Way
Coeur d'Alene, ID 83814-2677

SUBJECT: LICENSE AMENDMENT

Please find enclosed Amendment No. 20 to NRC License No. 11-27307-01 **approving the change to Attachment 7 as requested.**

Please note that we are unable to approve David Earl Davenport, M.D. for 10 CFR 35.600 nor are we able to approve James H. O'Rear, Ph.D., as an authorized medical physicist (AMP) at this time. Please provide responses to the following request for information (RAI):

1. **Please submit a copy of Dr. Davenport's board certification in 10 CFR 35.600 by a medical specialty board whose certification process has been recognized by the Commission or an Agreement State as specified in the following website: http://www.nrc.gov/materials/miau/med-use-toolkit/spec-board-cert.html.**

2. **It appears that NRC Form 313A (AUS) is incomplete.**

   Please have Dr. Griffith complete the "Third and Fourth Sections" of Part II - Preceptor Attestation of this form as appropriate and resubmit to us for review.

3. **Please clarify if J. Lance Griffith, M.D. and Jon Lance Griffith, M.D. are the same person. Dr. J. Lance Griffith is currently authorized under your license, License No. 11-27307-01 for 10 CFR 35.600 iridium-192 uses in a HDR Remote Afterloader Unit; whereas, Dr. Jon Lance Griffith lists license WN-M031-1 on NRC Form 313A (AUS) for Dr. Davenport. Please clarify this discrepancy.**

4. On the Utah Radioactive Material License, it appears that Dr. O'Rear is currently authorized for AMP duties associated with the use of Sr-90/Y-90 for intravascular brachytherapy (IVB) in a Novoste Corproation Beta-Cath IVB System, A1000 Series IVB device and Ir-192 in the high dose rate remote afterloading unit identified as Nucletron Corporation Model 105.999. Please demonstrate that Dr. O'Rear has training for the type of use for which authorization is sought (Australian Isotopes Sir-Spheres Y-90 microspheres and delivery system and Varian Medical Systems, Inc. Model GammaMed Plus 3/24 authorized on License No. 11-27307-01) that includes hands-on device operation, safety procedures, clinical use, and the operation of a treatment planning system. This training requirement may be satisfied by satisfactorily completing either a training program provided by the vendor or by training supervised by an authorized medical physicist authorized for the type(s) of use for which the individual is seeking authorization.

You may document this training use NRC Form 313A (AMP) [See http://www.nrc.gov/reading-rm/doc-collections/forms/nrc313a(amp).pdf].

When submitting the above information, please reference Mail Control No. 471605 so that we'll know that this is a continuation of this amendment request.

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 not be made publicly available.

The NRC medical list server has been set up. The list server will send automatic e-mail notifications of medical-related generic communications, Federal Register Notices, and NMSS/FSME newsletters as they are published. Anyone may subscribe/unsubscribe to the new medical list server by sending an e-mail to medical-gc@nrc.gov with "Subscribe" or "Unsubscribe" in the subject line.

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, contact me at 817-860-8132.

NRC expects licensees to conduct their programs with meticulous attention to detail and a high standard of compliance. Because of the serious consequences to employees and the public that can result from failure to comply with NRC requirements, you must conduct your radiation safety program according to the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate by NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers: Inspection and Investigations," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.

2. Notify NRC in writing of any change in mailing address.

3. By 10 CFR 30.36(d) and/or license condition, notify NRC, promptly, in writing, and request termination of the license:

   a. When you decide to terminate all activities involving materials authorized under the license whether at the entire site or any separate building or outdoor area;

   b. If you decide not to acquire or possess and use authorized material; or

   c. When no principal activities under the license have been conducted for a period of 24 months.

4. In accordance with 10 CFR 35.14, notify the NRC no later than 30 days after:

   a. The date that the licensee permits an individual to work as an authorized user, an authorized nuclear pharmacist or an authorized medical physicist under 10 CFR 35.13(b)(1) through (b)(4);

   b. An authorized user, an authorized nuclear pharmacist, a Radiation Safety Officer, or an authorized medical physicist permanently discontinues duties under the license or has a name change;

   c. The licensee's mailing address changes;

   d. The licensee's name changes, but the name change does not constitute a transfer of control of the license as described in 10 CFR 30.34(b); or

   e. The licensee has added to or changed the areas of use identified in the application or on the license where byproduct material is used in accordance with either 35.100 or 35.200.

5. Request and obtain a license amendment before you:

   a. Change Radiation Safety Officers;

   b. Order byproduct material in excess of the amount, radionuclide or form authorized on the license;

   c. Add or change the areas or address(es) of use identified in the license application or on the license, except for areas of use where byproduct material is used only in accordance with either 10 CFR 35.100 or 35.200; or

   d. Change the name or ownership of your organization.

6. Submit a complete renewal application or termination request at least 30 days before the expiration date on your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of radioactive material after your license expires is a violation of NRC regulations.

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/reading-rm/doc-collections/enforcement/.

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. Additional information regarding medical uses of radioactive materials may be obtained on the NRC Web site at: http://www.nrc.gov/materials/miau/med-use-toolkit.html. This site also provides the updated Training and Experience NRC Form 313A series of forms and guidance, as well as information on the revised regulations for naturally-occurring and accelerator-produced radioactive materials (NARM).

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter 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/

Jacqueline D. Cook, Senior Health Physicist
Nuclear Materials Safety Branch B

Docket: 030-032264
License: 11-27307-01
Control: 471605

Enclosures: As stated