

DAVID S. GRUBBS, M.D., F.A.C.C., F.A.C.P.
Consultative, Diagnostic & Interventional Cardiology

Omega Professional Center
G36 Omega Drive
Newark, DE 19713
302-738-7303
Fax 302-738-7308

NMSB2

07-31076-01
03036998

2008 MAY -7 PM 12:39

RECEIVED
REGION I

April 30, 2008

LICENSING ASSISTANCE TEAM
DIVISION OF NUCLEAR MATERIALS SAFETY
U.S. NUCLEAR REGULATORY COMMISSION, REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PA 19406-1415

RE: Transition of Primary NARM licensing authority to NRC

To whom it may concern:

In response to the attached letter from the Delaware Health and Social Service department dated November 20, 2007 (enclosed), I submit the following license amendment / information.

We currently possess and/or are licensed to use the following sources:

- 1 - Co-57 gamma camera quality control (flood) source
- 1 - Co-57 dose calibrator reference standard
- TI-201 for uses under 10 CFR 35.100 and 35.200.

A copy of our Delaware license is enclosed for your review.

If you have any questions, please contact Jane Crowe at 302-738-5856.

Sincerely,



David S. Grubbs, M.D.
President and Radiation Safety Officer



**DELAWARE HEALTH
AND SOCIAL SERVICES**
DIVISION OF PUBLIC HEALTH

November 20, 2007

TO: All Registered Radioactive Material Facility RSO's

RE: Transition of Primary NARM licensing authority to NRC effective November 30, 2007

Dear Radiation Safety Officer,

The U.S. Nuclear Regulatory Commission (NRC) will implement new regulatory authority granted in the Energy Policy Act of 2005 (70 FR 51581), effective November 30, 2007.

In June, we notified you by letter of the upcoming transition of primary NARM licensing authority from the State of Delaware to the NRC, to take place in late summer, or fall of 2007. On November 1, 2007 a Division of Public Health (DPH) press release was issued, announcing the transition.

Since the press release was issued by DPH, we have received additional communication from the NRC, indicating that the transition of authority would become effective on the final date of the NRC "Expanded By-Product" federal rule, November 30, 2007.

NARM Licensees who have an existing by-product license with the NRC will have six months (May 31, 2008) to submit an amendment to the NRC. NARM licensees who do not have an existing by-product license with the NRC will have twelve months (November 30, 2008) to submit a new license application with the NRC.

The State of Delaware will continue to require registration of all radioactive material facilities as "radiation source" facilities, under Part B of the Delaware Radiation Control Regulations. Client demographics for all registered radioactive material facilities will be transmitted to the NRC, effective November 30, 2007.

Please direct any questions regarding by-product material license applications to the NRC at:

U.S. Nuclear Regulatory Commission
Region I, Licensing Assistance Team
475 Allendale Road
King of Prussia, PA 19406
Phone: 610-337-5398 or 610-337-5260

Please continue to direct any questions regarding your state radioactive material facility registration to the Office of Radiation Control at 302-744-4546.

Sincerely,


Frieda Fisher-Tyler, MHS, CIH
Administrator, Office of Radiation Control

FFT/ts



DELAWARE DIVISION OF PUBLIC HEALTH
OFFICE OF RADIATION CONTROL

RADIOACTIVE MATERIAL LICENSE

Pursuant to the Radiation Control Act, 16 Del. C., Chapter 74 as amended, the Delaware Radiation Control Regulations, and in reliance on statements and representations heretofore made by the Licensee, a license is hereby issued authorizing the Licensee to receive, acquire, possess, transfer, and use the following radioactive material for the purposes and at the places designated below. This license shall be deemed subject to all applicable rules, regulations, or orders of the Delaware Division of Public Health now or hereafter in effect and to any conditions specified below:

1. **Name & Address of Licensee**

David S. Grubbs, M.D., F.A.C.C., F.A.C.P.
Omega Professional Center
G 36 Omega Drive
Newark, Delaware 19713

2. **License Number**

2230AMN

3. **Expiration Date**

Attention: David S. Grubbs, M.D., RSO

September 30, 2008

4. **Amendment Number**

5. Radioactive Material
(Element & Mass No.)

6. Chemical and/or
Physical Form

7. Maximum Radioactivity
Limit of Possession
at Any One Time

A. Cobalt 57
B. Thallium 201

A. Sealed Source
B. Chloride

A. 50 mCi
B. 100 mCi

8. **Authorized Use:**

- A. Instrument Standardization
- B. Any diagnostic procedure listed in Groups I and II of Schedule C, Part C, of the Delaware Radiation Control Regulations.

9. Licensee shall comply with the Delaware Radiation Control Regulations amended July 10, 2002, by the Authority on Radiation Protection.

10. Except as specifically provided otherwise by the license, the licensee shall possess and use radioactive material described in items 5, 6, and 7 in accordance with statements, representations, and procedures contained in application(s) received.

Radioactive Material License

Conditions

License Number: 2230AMN

11. The licensee shall notify the agency in writing if any changes occur that would render information in the application or the license inaccurate.
12. Licensed material may be used only at licensee's address stated in Item 1.
13. Licensed material shall be used by, or under the supervision of: David S. Grubbs, M.D.
14. The Radiation Safety Officer for this license is: David S. Grubbs, M.D.
15. The licensee is authorized to hold licensed material with a physical half-life of less than 65 days for decay-in-storage prior to disposal in ordinary trash provided:
 - A. Affected radioactive waste shall be held for decay a minimum of ten (10) half lives.
 - B. Prior to disposal as normal waste, radioactive waste shall be monitored to determine that its radioactivity cannot be distinguished from background with typical low-level laboratory survey instruments.
 - C. All radiation labels will be removed or obliterated.
16. Sealed sources containing licensed material shall not be opened.
17. The licensee may transport licensed material or deliver licensed material to a carrier for transport in accordance with the provisions of the DRCR, "Preparation of Radioactive Material for Transport."
18. The licensee shall have at least one (1) radiation survey instrument available at all times to make physical surveys required by the DRCR. Each instrument shall meet the same requirements as those specified by the DRCR.



Jaime Rivera, MD
Director, Division of Public Health

This is to acknowledge the receipt of your letter/application dated

4/30/2008, and to inform you that the initial processing which includes an administrative review has been performed.

NOTIFICATION 07-31076-01
There were no administrative omissions. Your application was 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

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** 142398.
When calling to inquire about this action, please refer to this control number.
You may call us on (610) 337-5398, or 337-5260.