



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

July 24, 2008

Docket No. 03008228
Control No. 142448

License No. 07-14900-01

Dennis E. Klima
President/CEO
Bayhealth Medical Center
Milford Memorial Hospital
21 West Clarke Avenue
Milford, DE 19963-0199

SUBJECT: BAYHEALTH MEDICAL CENTER, LICENSE AMENDMENT, CONTROL NO.
142448

Dear Mr. Klima:

This refers to your license amendment request. Enclosed with this letter is the amended license adding the radium source for storage incident to disposal and adding palladium-103 manual brachytherapy sources. Please note that Section 651(e) of the Energy Policy Act of 2005 expanded the definition of byproduct material to include accelerator-produced radioactive material (NARM). Therefore, several of the radioisotopes and uses described in your letter (e.g., Co-57, Ga-67, In-111, I-123, and Tl-201) are already included on your NRC license under 10 CFR 35.65, 35.100, and 35.200. In addition, from discussions with your consultant, Mr. Jay Yoder, we understand that the above listed material is in use within the facilities and by the authorized users already described in your license. We also understand that Fluorine-18 use is by a mobile service provider within their mobile facilities. Please advise us immediately if our understanding is incorrect.

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 1-888-293-6498. The GPO is open from 7:00 a.m. to 8:00 p.m. EST, Monday through Friday (except Federal holidays).

D. Klima

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Thank you for your cooperation.

Sincerely,

Original signed by Penny Lanzisera

Penny Lanzisera
Senior Health Physicist
Medical Branch
Division of Nuclear Materials Safety

Enclosure
Amendment No. 30

cc:
Ashima Lall, MB.BS, Radiation Safety Officer

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SUNSI Review Complete: PLanzisera

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