



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
612 EAST LAMAR BLVD, SUITE 400
ARLINGTON, TEXAS 76011-4125

January 19, 2009

Mile High Mobile PET
ATTN: Lyle Johnson
Radiation Safety Officer
418 East College Drive
Cheyenne, WY 82007

SUBJECT: NEW LICENSE

Please find enclosed NRC License No. 49-29310-01. This license authorizes mobile medical service at temporary jobsite locations. You may perform these activities under 10 CFR 35.80, provided that you obtain a letter signed by the management of each client for which services are rendered that permits the use of byproduct material at the client's address and clearly delineates the authority and responsibility of the licensee and the client, as well as the other requirements under 10 CFR 35.80. Since your activities do not involve therapeutic uses of byproduct material and all activities are performed inside the service van, then you are not required to list the client sites on your license. Your client sites are treated as authorized temporary jobsites.

Your license documents two locations where you are authorized to store your service van. You may use your service van at the requested storage location, provided you obtain the agreement letter and follow all requirements under 10 CFR 35.80. During the period of time that you perform activities under your mobile medical service license at the respective storage location, then you will be authorized as conducting activities at a temporary jobsite.

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 this license carefully and be sure that you understand all conditions. If you have any questions, you may contact me at 817-276-6552.

The NRC needs your Taxpayer Identification Number in order to make payments (refunds). Please complete and return NRC Form 531, "Request for Taxpayer Identification Number," to the highlighted address in Item 5 on Form 531, in the enclosed envelope for your convenience.

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.

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. In accordance with 10 CFR 30.36(d), notify NRC, promptly, in writing within 60 days, 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.
3. 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.
4. 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.
5. 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 or renewal 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/>.

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 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,



Rachel S. Browder, Health Physicist
Nuclear Materials Safety Branch B

Docket: 030-37854
License: 49-29310-01
Control: 471999

Enclosures: As stated

U.S. NUCLEAR REGULATORY COMMISSION

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. Mile High Mobile PET 2. 418 East College Drive Cheyenne, Wyoming 82007	3. License number 49-29310-01 4. Expiration date January 31, 2019 5. Docket No. 030-37854 Reference No.
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6. Byproduct, source, and/or special nuclear material A. Any byproduct material permitted by 10 CFR 35.100 B. Any byproduct material permitted by 10 CFR 35.200	7. Chemical and/or physical form A. Any B. Any, except generators	8. Maximum amount that licensee may possess at any one time under this license A. As needed B. As needed
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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.
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CONDITIONS

10. A. Licensed material may be stored at the facilities located at:
- (i) Cheyenne Radiology Group, 1950 Bluegrass Circle, Cheyenne, Wyoming
 - (ii) Mile High Mobile PET, 418 East College Drive, Cheyenne, Wyoming
- B. Licensed material may be used at:
- (i) Temporary job sites of the licensee anywhere in the United States where the U.S. Nuclear Regulatory Commission maintains jurisdiction for regulating the use of licensed material, including areas of exclusive Federal jurisdiction within Agreement States.
- If the jurisdiction status of a Federal facility within an Agreement State is unknown, the licensee should contact the Federal agency controlling the job site in question to determine whether the proposed job site is an area of exclusive Federal jurisdiction. Authorization for use of radioactive materials at job sites in Agreement States not under exclusive Federal jurisdiction shall be obtained from the appropriate State regulatory authority.
11. The Radiation Safety Officer for this license is Lyle Johnson.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number
49-29310-01

Docket or Reference Number
030-37854

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 the material and medical uses indicated:

<u>Authorized Users</u>	<u>Material and Use</u>
S. A. Hayden, M.D.	35.100; 35.200
J.G. Hubbard, M.D.	35.100; 35.200
Robert Jakob Kahn, M.D.	35.100; 35.200
D. M. Kellam, M.D.	35.100; 35.200
William D. Ketcham II, M.D.	35.100; 35.200
David W. McNaul, M.D.	35.100; 35.200
Daniel R. Possehn, D.O.	35.100; 35.200
Robert L. Stears, M.D.	35.100; 35.200
J.W. Wright, M.D.	35.100; 35.200
James R. LaManna, M.D.	35.100; 35.200
Joseph J. Lawrence, D.O.	35.100; 35.200
Alan L. Mitchell, M.D.	35.100; 35.200
Thomas M. Cunningham III, M.D.	35.100; 35.200
Stephen Horn, M.D.	35.100; 35.200
Paul Peters, M.D.	35.100; 35.200
Geoffrey G. Smith, M.D.	35.100; 35.200
Daniel F. Sulser, M.D.	35.100; 35.200
M.L. Sloan, M.D.	35.100; 35.200

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 financial assurance for decommissioning.
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."

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**License Number
49-29310-01Docket or Reference Number
030-37854

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 October 3, 2008
B. Letter dated January 12, 2009



FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date: January 19, 2009By: *Rachel S. Browder*

Rachel S. Browder, Health Physicist
Nuclear Materials Safety Branch B
Region IV
Arlington, Texas 76011-4125