

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.

PCO 2120 317808

Licensee

In accordance with letter dated **December 15, 2008**,

- 1. Marion General Hospital
- 2. 441 North Wabash Avenue
Marion, IN 46952

3. License number 13-17956-01 is amended in its entirety to read as follows:

4. Expiration date: **May 31, 2014**

5. Docket No. 030-13726
Reference No.

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|---|---|--|
| <p>6. Byproduct, source, and/or special nuclear material</p> <ul style="list-style-type: none"> A. Any byproduct material permitted by 10 CFR 35.100 B. Any byproduct material permitted by 10 CFR 35.200 C. Any byproduct material permitted by 10 CFR 35.300 D. Any byproduct material permitted by 10 CFR 35.400 | <p>7. Chemical and/or physical form</p> <ul style="list-style-type: none"> A. Any B. Any C. Any D. Sealed sources-seeds (Theragenics Model 200 and Bard Brachytherapy Model STM 1251) | <p>8. Maximum amount that licensee may possess at any one time under this license</p> <ul style="list-style-type: none"> A. As needed B. As needed C. Two curies D. 1 curie |
|---|---|--|

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. A. Licensed material shall be used only at the licensee's facilities located at 441 North Wabash Avenue, Marion, Indiana.

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B. Licensed material listed in Subitem Nos. 6.A., 6.B., and 6.C. (outpatient procedures only and released in accordance with 10 CFR 35.75) may also be used at 830 N. Theatre Drive, Marion, Indiana.

11. Radiation Safety Officer: **Richard Sanchez, 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

A. Stephen Tilmans, M.D.

10 CFR 35.400.

Fred H. Francis, M.D.

10 CFR 35.400.

Donald J. Bruns, M.D.

10 CFR 35.100, 35.200 and 35.300.

John W. Dean, M.D.

10 CFR 35.100, 35.200 and 35.300.

Richard Sanchez, M.D.

10 CFR 35.100, 35.200 and 35.300 (limited to iodine-131).

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.
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."
15. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of licensed material to quantities below the limits specified in 10 CFR 30.72 which require consideration of the need for an emergency plan for responding to a release of licensed material.

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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 March 6, 2004;
 - B. Letters dated March 22, 2004, June 20, 2006, August 27, 2006, and **December 15, 2008**; and
 - C. Facsimiles dated April 28, 2004, July 19, 2006 (with attached sketch), October 16, 2006; and
 - D. Letter received May 5, 2006.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date MAR 30 2009

By

Colleen Carol Casey
Materials Licensing Branch
Region III