U.S. NUCLEAR REGULATORY COMMISSION

Amendment No. 44

# 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 | In accordance with the current NRC policy |
|---|---|
| 1. Greenbrier Valley Medical Center | 3. License number 47-17199-01 is amended in its entirety to read as follows: |
| 2. 202 Maplewood Avenue<br>Ronceverte, West Virginia 24970-1334 | 4. Expiration date October 31, 2012 |
| | 5. Docket No. 030-12343<br>Reference No. |

| 6. Byproduct, source, and/or special nuclear material | 7. Chemical and/or physical form | 8. Maximum amount that licensee may possess at any one time under this license |
|---|---|---|
| A. Any byproduct material permitted by 10 CFR 35.100 | A. Any | A. As needed |
| B. Any byproduct material permitted by 10 CFR 35.200 | B. Any | B. As needed |
| C. Any byproduct material permitted by 10 CFR 35.300 | C. Any | C. 2 curies |
| D. Any byproduct material permitted by 10 CFR 35.400 | D. Sealed Sources (NIST Imagyn Model Isostat IS-12501; HDI Mentor Model 125-SL; MED3631-A/M; 3M Model OncoSeed 6733; Theragenics 125.So6; DRAXIMAGE LLC LS-1; Implant Science 3500; IsoAid Advantage IAI-125A; Mills Biopharmaceuticals Prosaseed SL-125 and SH-125; Source Tech Medical STM1251) | D. 500 millicuries |
| E. Any byproduct material permitted by 10 CFR 31.11 | E. Prepackaged Kits | E. 5 millicuries |

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.

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D. Any manual brachytherapy procedure permitted by 10 CFR 35.400.
E. In vitro studies.

CONDITIONS

10. Licensed material may be used or stored only at the licensee's facilities located at 202 Maplewood Avenue, Ronceverte, West Virginia.

11. The Radiation Safety Officer for this license is Heather Rose, 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 |
|---|---|
| David C. Maki, M.D. | 35.100; 35.200; 35.300 for the treatment of hyperthyroidism; 31.11 |
| Colin A. Rose, M.D. | 35.100; 35.200; 35.300 for the treatment of hyperthyroidism; 31.11 |
| Heather Rose, M.D. | 35.100; 35.200; 35.300; 31.11 |
| Charles E. Gabe, M.D. | 35.400 |
| Haven N. Wall, M.D. | 35.200 |
| Charles Hendrix Shelton, M.D. | 35.300; 35.400 |
| Gary Roberts, D.O. | 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 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."

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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 February 27, 1992
B. Letter dated January 13, 1993
C. Letter dated June 27, 1994
D. Letter dated July 26, 1995
E. Letter dated May 31, 1996
F. Letter dated August 18, 1997
G. Letter dated June 28, 1999
H. Application dated July 8, 1999
I. Letter dated July 23, 1999
J. Letter dated August 14, 2000
K. Letter dated February 5, 2002
L. Application dated May 6, 2002
M. Letter dated August 30, 2002
N. Letter dated February 18, 2003
O. Application dated June 4, 2003
P. Letter dated August 18, 2003
Q. Letter dated September 23, 2003
R. Letter received May 24, 2004

For the U.S. Nuclear Regulatory Commission

Date September 27, 2010

By ***Original signed by Penny Lanzisera***

Penny Lanzisera
Medical Branch
Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406