



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION III  
2443 WARRENVILLE ROAD, SUITE 210  
LISLE, ILLINOIS 60532-4352

APR 02 2018

Edward Clayton  
Chief Executive Officer  
Phelps County Regional Medical Center  
1000 West Tenth Street  
Rolla, MO 65401

Dear Mr. Clayton:

Enclosed is Amendment No. 50 to your NRC Material License No. 24-18295-01 in accordance with your request.

We have noted the requested change in your letter dated February 15, 2016, to have future NRC correspondence sent to you, Mr. Clayton, as CEO. We are sending a "cc" copy with enclosure to Dr. Spencer, your RSO, also. We normally send correspondence to the attention of the RSO for each licensee by default and our databases and processing systems are designed to track the RSO by name and function. However, we cannot guarantee that this mechanism of sending correspondence to your attention will always work. Thank you for your understanding and patience in these matters.

This also refers to the telephone discussion of this amendment on April 2, 2018, between me and your consultant, Heather Sutyak.

In this telephone discussion, Ms. Sutyak and I clarified whether the originating document for this amendment request was, in fact, a "notification." Ms. Sutyak stated that she did not prepare the originating document but that your previous consultant had.

Ms. Sutyak and I reviewed the notification parameters allowed by 10 CFR 35.13(e); 35.14(b)(5); 35.100; 35.200; 35.40; and 35.2, "Definitions" for "Written Directive."

Although not discussed with Ms. Sutyak, please also be reminded of the provisions in 10 CFR 30.9(a), "Completeness and accuracy of information,"..."(a) Information provided to the Commission by an applicant for a license or by a licensee or information required by statute or by the Commission's regulations, orders, or license conditions to be maintained by the applicant or the licensee shall be complete and accurate in all material respects."

It was determined that the letter dated January 23, 2018, should not have been prepared as a "notification" because the areas of use involved included those where materials in 10 CFR 35.300 were received, possessed, used and stored, i.e., sodium iodide I-131 in quantities greater than 30 microcuries which, by definition, require a written directive. Areas of use involving materials subject to a written directive fall outside of the parameters allowing for "notification" in the regulations cited above.

The enclosed document contains sensitive security-related information.  
When separated from this cover letter this letter is uncontrolled.

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Therefore, a license amendment request should have been prepared, submitted and approved by NRC before any work began on the areas of use involved in the remodeling project, instead of during and after the completion of the work.

I requested additional information from Dennis Enloe of your staff in an email dated March 7, 2018. Mr. Enloe referred me to Dan Kane, with your consulting group, and Mr. Kane referred me to Ms. Sutyak. In the letters Ms. Sutyak prepared and submitted under your signature dated March 20, 2018, and March 21, 2018, it became more clear to me what the actual circumstances were surrounding what appeared to be a misunderstanding.

Hopefully, a recurrence of this situation will not happen again.

Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region III office at (630) 829-9887 so that we can provide appropriate corrections and answers.

If you have any questions or comments concerning this amendment, please contact me at (630) 829-9841. My fax number is (630) 515-1078. My email address is [colleen.casey@nrc.gov](mailto:colleen.casey@nrc.gov).

NRC's Regulatory Issue Summary (RIS) 2005-31 provides criteria to identify security-related sensitive information and guidance for handling and marking of such documents. This ensures that potentially sensitive information is not made publicly available through ADAMS, the NRC's electronic document system.

Pursuant to NRC's RIS 2005-31 and in accordance with 10 CFR 2.390, the enclosed license document is exempt from public disclosure because its disclosure to unauthorized individuals could present a security vulnerability.

The RIS may be located on the NRC Web site at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2005/ri200531.pdf> and the link for frequently asked questions regarding protection of security related sensitive information may be located at: <http://www.nrc.gov/reading-rm/sensitive-info/faq.html>.

A copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS).

The NRC's document system is accessible from the NRC Web site at:

<http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you.

This could include issuance of a notice of violation, or imposition of a civil penalty, or an order suspending, modifying or revoking your license as specified in the General Statement of Policy and Procedure for NRC Enforcement Actions.

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Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken when dealing with licensees who do not achieve the necessary meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency's *expectations* for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html>.

We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

Sincerely,



Colleen Carol Casey  
Materials Licensing Branch

License No. 24-18295-01  
Docket No. 030-14804

Enclosure:  
Amendment No. 50

Cc w/enclosure:  
Christopher R. Spencer, M.D.  
Radiation Safety Officer