



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064**

December 23, 1999

Wagoner Community Healthcare, Inc.
ATTN: John Crawford
CEO
P.O. Box 407
Wagoner, OK 74467

SUBJECT: LICENSE AMENDMENT

Please find enclosed Amendment No. 06 to License No. 35-21462-02. You should review this license carefully and be sure that you understand all conditions. If you have any questions, you may contact me at 817-860-8132.

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. Notify NRC in writing of any change in mailing address.
3. By 10 CFR 30.36(b) and/or license condition, notify NRC, promptly, in writing, and request termination of the license:
 - a. When you decide to terminate all activities involving materials authorized under the license; or
 - b. If you decide not to complete the facility, acquire equipment, or possess and use authorized material.
4. Request and obtain a license amendment before you:
 - a. Change Radiation Safety Officers;
 - b. Order byproduct material more than the amount 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; 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.

Wagoner Community Healthcare, Inc.

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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 "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG 1600.

Thank you for your cooperation.

Sincerely,

/s/

Jacqueline D. Cook
Health Physicist
Nuclear Materials Licensing Branch

Docket: 030-33322
License: 35-21462-02
Control: 467663

Enclosures: As stated

License: 35-21462-02

Amendment: 06

Docket: 030-33322

Licensee: Wagoner Community Healthcare, Inc.

Certification of Application Review for a Part 30, 40, and 70 License

I certify that I have reviewed the letter dated December 22, 1999, as supplemented by any letters referenced in the license in accordance with guidance provided by the Office of Nuclear Materials Safety and Safeguards applicable Standard Review Plan and associated checklist and have concluded that:

A. If the license is being terminated, I have received adequate documentation to demonstrate that all radioactive materials and contamination possessed under this license has been properly removed and the licensee's facilities are suitable for unrestricted use, or that the radioactive material is covered by another valid license.

B. For a new license, amendment, or renewal:

- (1) The application is for a purpose authorized by the Act;
- (2) The applicant's proposed equipment and facilities are adequate to protect health and minimize danger to life or property;
- (3) The applicant is qualified by training and experience to use the material for the purpose requested in such manner as to protect health and minimize danger to life;
- (4) The applicant satisfies any special requirements contained in Parts 32-40 and 70; and
- (5) The application is not for commercial waste disposal by land burial or for any other activity which the Commission has determined will significantly affect the quality of the environment.

ORIGINAL SIGNED BY

JACQUELINE D. COOK

Health Physicist

December 23, 1999

Date

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 letter dated December 22, 1999
1. Wagoner Community Healthcare, Inc.	3. License number 35-21462-02 is amended in its entirety to read as follows:
2. P.O. Box 407 Wagoner, Oklahoma 74467	4. Expiration date November 30, 2003
	5. Docket No. 030-33322 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 identified in 10 CFR 35.100	A. Any radiopharmaceutical identified in 10 CFR 35.100	A. As needed
B. Any byproduct material identified in 10 CFR 35.200	B. Any radiopharmaceutical identified in 10 CFR 35.200, except generators and gases	B. As needed
C. Any byproduct material identified in 10 CFR 31.11	C. Prepackaged Kits	C. As needed

9. Authorized use:
- A. Medical use described in 10 CFR 35.100.
 - B. Medical use described in 10 CFR 35.200.
 - C. In vitro studies.

CONDITIONS

- 10. Location of use: 1200 West Cherokee Street, Wagoner, Oklahoma.
- 11. Radiation Safety Officer: Michael D. Morris.
- 12. Authorized Users:
 - A. George Erbacher, D.O., for material identified in 10 CFR 35.100, 35.200, and 31.11.
 - B. Dean R. Fullingim, D.O., for material identified in 10 CFR 35.100, 35.200, and 31.11.
 - C. Joseph J. Back, D.O., for material identified in 10 CFR 35.100, 35.200, and 31.11.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number
35-21462-02

Docket or Reference Number
030-33322

Amendment No. 06

- D. Terry D. Powell, M.D., for material identified in 10 CFR 31.11.
- E. Melvin Van Boven, D.O., for material identified in 10 CFR 31.11.
- F. Thomas L. Harrison, D.O., for material identified in 10 CFR 35.100, 35.200, and 31.11.
- G. John Dennis, D.O., for material identified in 10 CFR 35.100, 35.200, and 31.11.
- H. Jeffrey Smith, D.O., for material identified in 10 CFR 35.100, 35.200, and 31.11.
- I. Oneita F. Taylor, M. D., for material identified in 10 CFR 31.11.
- J. Van Hoy Woo, M.D., for material identified in 10 CFR 31.11.
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. 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, except for minor changes in the medical use radiation safety procedures as provided in 10 CFR 35.31. 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 received September 13, 1993
- B. Letter dated October 15, 1993
- C. Facsimile received October 27, 1993
- D. Letter dated September 19, 1995
- E. Letter dated February 12, 1999
- F. Letter dated March 30, 1999

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

**ORIGINAL SIGNED BY
JACQUELINE D. COOK**

Date December 23, 1999

By

Jacqueline D. Cook
Nuclear Materials Licensing Branch
Region IV
Arlington, Texas 76011