



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

December 21, 2004

Docket No. 03031251
Control No. 135981

License No. 37-28414-01

Kishor E. Joshi, M.D.
President
Cherry Tree Medical Associates
25 Highland Park Drive, Suite 104
Uniontown, PA 15401

SUBJECT: CHERRY TREE MEDICAL ASSOCIATES, ISSUANCE OF LICENSE
AMENDMENT, CONTROL NO. 135981

Dear Dr. Joshi:

This refers to your license amendment request. Enclosed with this letter is the amended license. Please note that your license was written in a format compatible with the revised 10 CFR Part 35, dated April 24, 2002 (enclosed).

Please review the enclosed document carefully and be sure that you understand and fully implement all the conditions incorporated into the amended license. Please note the last condition on your license indicates that, "This license condition applies only to those procedures that are required to be submitted in accordance with the regulations." Therefore, any procedures submitted that were not required by regulation to be submitted, e.g., calibration of dose calibrators, will not be considered a part of your license and were not reviewed during the licensing process. These procedures will be reviewed during inspections, as necessary. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region I Office, Licensing Assistance Team, (610) 337-5239, so that we can provide appropriate corrections and answers.

An environmental assessment for this action is not required, since this action is categorically excluded under 10 CFR 51.22(c)(14).

Please note that on October 25, 2004, the NRC suspended public access to ADAMS, and initiated an additional security review of publicly available documents to ensure that potentially sensitive information is removed from the ADAMS database accessible through the NRC's web site. Interested members of the public may obtain copies of the referenced documents for review and/or copying by contacting the NRC Public Document Room pending resumption of public access to ADAMS. The NRC Public Document Room is located at NRC Headquarters in Rockville, MD, and can be contacted at 800-397-4209 or 301-415-4737 or pdr@nrc.gov.

K. Joshi
Cherry Tree Medical Associates

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Thank you for your cooperation.

Sincerely,

Original signed by Elizabeth Ullrich

Elizabeth Ullrich
Senior Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety

Enclosures:

1. Amendment No. 10
2. 10 CFR Part 35

cc:

Vijai P. Singh, M.D., Radiation Safety Officer

K. Joshi
Cherry Tree Medical Associates

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OFFICE	DNMS/RI	N	DNMS/RI	N	DNMS/RI			
NAME	FGaskins/FCG		EUIrich/EXU					
DATE	12/21/04		12/22/04					

OFFICIAL RECORD COPY

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.

<p style="text-align: center;">Licensee</p> <p>1. Cherry Tree Medical Associates</p> <p>2. 25 Highland Park Drive, Suite 104 Uniontown, Pennsylvania 15401</p>	<p>In accordance with the letter dated November 10, 2004,</p> <p>3. License number 37-28414-01 is amended in its entirety to read as follows:</p> <hr/> <p>4. Expiration date May 31, 2005</p> <hr/> <p>5. Docket No. 030-31251 Reference No.</p>	
<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Any byproduct material permitted by 10 CFR 35.100</p> <p>B. Any byproduct material permitted by 10 CFR 35.200</p>	<p>7. Chemical and/or physical form</p> <p>A. Any</p> <p>B. Any</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. As needed</p> <p>B. As needed</p>
<p>9. Authorized use:</p> <p>A. Any uptake, dilution and excretion procedure permitted by 10 CFR 35.100.</p> <p>B. Any imaging and localization procedure permitted by 10 CFR 35.200.</p>		

CONDITIONS

10. Licensed material may be used or stored only at the licensee's facilities located at 25 Highland Park Drive, Suite 104, Uniontown, Pennsylvania.
11. The Radiation Safety Officer for this license is Vijai P. Singh, M.D.
12. Licensed material listed in Item 6 above is only authorized for use by, or under the supervision of, the following individuals for the materials and uses indicated:

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**License Number
37-28414-01Docket or Reference Number
030-31251

Amendment No. 10

Authorized Users**Material and Use****Vijai P. Singh, M.D.****35.100; 35.200****Vallabhaneni Babu, 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 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. 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, 1994
 - B. Letter dated April 6, 1995
 - C. Letter dated May 2, 1995
 - D. Letter dated October 16, 1998
 - E. Letter dated October 20, 1998

For the U.S. Nuclear Regulatory Commission

Original signed by Elizabeth UllrichDate December 22, 2004
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Elizabeth Ullrich
Commercial and R&D Branch
Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406