



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

March 24, 2005

Docket No. 03013436
Control No. 136347

License No. 29-17855-01

Salvatore F. Vitale, M.D.
Medical Director
New Jersey Diagnostic Imaging and Therapy
455 Jack Martin Boulevard
Brick, NJ 08724

SUBJECT: NEW JERSEY DIAGNOSTIC IMAGING AND THERAPY, ISSUANCE OF
LICENSE AMENDMENT, CONTROL NO. 136347

Dear Dr. Vitale:

This refers to your license amendment request. This amendment changes your Radiation Safety Officer from you to Dr. Connors as requested in your letter dated January 17, 2005. 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, effective October 24, 2002.

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).

Current NRC regulations and guidance are available at the NRC Web sites listed below or by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 9:00 p.m. EST, Monday through Friday (except Federal holidays).

S. Vitale
New Jersey Diagnostic Imaging and Therapy

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Thank you for your cooperation.

Sincerely,

Original signed by David B. Everhart

David B. Everhart
Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety

Enclosure:
Amendment No. 11

NRC Web site addresses:

NRC regulations

<http://www.nrc.gov/reading-rm/doc-collections/cfr/>

Licensing guidance

<http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/>

General Policy and Procedure for NRC Enforcement Actions

<Http://www.nrc.gov/what-we-do/regulatory/enforcement/enforc-pol.pdf>

206 of the Energy Reorganization Act of 1974

<http://www.nrc.gov/who-we-are/governing-laws.html>

cc:

Dianne Conners, M.D., Radiation Safety Officer

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OFFICE	DNMS/RI	N	DNMS/RI		DNMS/RI			
NAME	DEverhart/DBE							
DATE	3/24/2005							

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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>Licensee</p> <p>1. New Jersey Diagnostic Imaging and Therapy</p> <p>2. 455 Jack Martin Boulevard Brick, New Jersey 08724</p>	<p>In accordance with the application received January 17, 2005,</p> <p>3. License number 29-17855-01 is amended in its entirety to read as follows:</p> <p>4. Expiration date January 31, 2014</p> <p>5. Docket No. 030-13436 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 study permitted by 10 CFR 35.100.</p> <p>B. Any imaging and localization study permitted by 10 CFR 35.200.</p>		

CONDITIONS

10. Licensed material may be used or stored only at the licensee's facilities located at 455 Jack Martin Boulevard, Brick, New Jersey.
11. The Radiation Safety Officer for this license is Diane Connors, 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.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**License Number
29-17855-01Docket or Reference Number
030-13436

Amendment No. 11

B. The following individuals are authorized users for medical use as indicated:

<u>Authorized Users</u>	<u>Material and Use</u>
Salvatore F. Vitale, M.D.	35.100; 35.200
Marshall Brad Koven, M.D.	35.100; 35.200
Sheldon B. Kaplan, M.D.	35.100; 35.200
Cynthia A. Barone, D.O.	35.100; 35.200
Neelu Jain-Lakhani, M.D.	35.100; 35.200
Diane Conners, 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 received November 10, 2003

B. Letter dated January 17, 2005

For the U.S. Nuclear Regulatory Commission

Date March 24, 2005

By

Original signed by David B. Everhart

David B. Everhart
Commercial and R&D Branch
Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406