



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

April 19, 2005

Docket No. 03031046
Control No. 136598

License No. 37-28359-01

John Kristel
Chief Operating Officer
Tenet Health System Graduate, LLC
d.b.a. Graduate Hospital
One Graduate Plaza
Philadelphia, PA 19146

SUBJECT: TENET HEALTH SYSTEM GRADUATE, LLC, d.b.a. GRADUATE HOSPITAL,
ISSUANCE OF LICENSE AMENDMENT, CONTROL NO. 136598

Dear Mr. Kristel:

This refers to your license amendment request. Enclosed with this letter is the amended license.

Please review the enclosed document carefully and be sure that you understand and fully implement all the conditions incorporated into the amended license. 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).

Thank you for your cooperation.

Sincerely,

Original signed by Michelle Beardsley

Michelle Beardsley
Health Physicist
Medical Branch
Division of Nuclear Materials Safety

Enclosure:
Amendment No. 22

NRC Web site addresses
NRC regulations

J. Kristel
Tenet Health System Graduate, LLC

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<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:
Gary Coren, M.D., Radiation Safety Officer

DOCUMENT NAME: E:\Filenet\ML051100039.wpd

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OFFICE	DNMS/RI	N	DNMS/RI		DNMS/RI			
NAME	MBeardsley/MRB							
DATE	4/19/2005							

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>Licensee</p> <p>1. Tenet Health System Graduate, L.L.C. d.b.a. Graduate Hospital</p> <p>2. One Graduate Plaza Philadelphia, Pennsylvania 19146</p>	<p>In accordance with the letter dated March 1, 2005,</p> <p>3. License number 37-28359-01 is amended in its entirety to read as follows:</p> <p>4. Expiration date January 31, 2014</p> <p>5. Docket No. 030-31046 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>C. Any byproduct material permitted by 10 CFR 35.300</p> <p>D. Any byproduct material permitted by 10 CFR 35.400</p> <p>E. Any byproduct material permitted by 10 CFR 35.400</p> <p>F. Strontium 90/ Yttrium 90</p>	<p>7. Chemical and/or physical form</p> <p>A. Any</p> <p>B. Any</p> <p>C. Any</p> <p>D. Sealed sources (Medi-Physics, Inc. Models 6711,6715, 6733 and 6735, Best Medical International, Inc. Model 81-01)</p> <p>E. Sealed sources (3M, Model series 6500, Medi-Physicis, Inc. Model CDCT1)</p> <p>F. Sealed Sources (BEBIG Model Sr0.S03 or AEAT SICW Series (SICW.1 and SICW.2)</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>C. 500 millicuries</p> <p>D. 2000 millicuries</p> <p>E. 600 millicuries</p> <p>F. 5.0 millicuries per source; 500 millicuries total</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> <p>C. Any iodine-131 study or procedure permitted by 10 CFR 35.300.</p>		

MATERIALS LICENSE SUPPLEMENTARY SHEET

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37-28359-01

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030-31046

Amendment No. 22

- D. Any manual brachytherapy procedure permitted by 10 CFR 35.400.
- E. Any manual brachytherapy procedure permitted by 10 CFR 35.400.
- F. Notwithstanding the requirements of 10 CFR 35.400, for use in Novoste A1000 series devices (BEBIG Model Sr0.S03 or AEAT SICW Series (SICW.1 and SICW.2) for intravascular brachytherapy.

CONDITIONS

- 10. Licensed material may be used or stored at the licensee's facilities located at 1800 Lombard Street except the Atrium Suite, Philadelphia, Pennsylvania; and the Diagnostic Services Building, 19th and South Streets, Philadelphia, Pennsylvania.
- 11. The Radiation Safety Officer for this license is Gary Coren, 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, authorized nuclear pharmacist, and/or authorized medical physicist 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

Lydia Komarnicky, M.D.

35.400; Strontium90/Yttrium 90 in Novoste A1000 series systems

Franco Maria Nichini, M.D.

35.400; Strontium90/Yttrium 90 in Novoste A1000 series systems

Mark Alden, M.D.

35.400; Strontium90/Yttrium 90 in Novoste A1000 series systems

Jorge Freire, M.D.

35.400; Strontium90/Yttrium 90 in Novoste A1000 series systems

Gary Coren, M.D.

35.100; 35.200

Marc Silver, D.O.

35.100; 35.200; 35.500

Martin Friedman, D.O.

35.100; 35.200; 35.300

Eli Dweck, M.D.

35.100; 35.200; 35.300

Michael Brian Kates, M.D.

35.100; 35.200; 35.300, except thyroid carcinoma

Steven Greensweig, D.O.

35.100; 35.200

Lesley Hughes, M.D.

35.400

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Bruce Thaler, M.D.

35.100; 35.200; 35.300

Alan Rebenstock, M.D.

35.100; 35.200; 35.300

- C. Intravascular brachytherapy procedures shall be conducted under the supervision of an authorized user, who will consult with the interventional cardiologist/physician and authorized medical physicist prior to initiating treatment. The procedures shall be conducted in the physical presence of the authorized user or the authorized medical physicist.

- D. The following individuals are authorized medical physicists as indicated:

Authorized Medical PhysicistsMaterial and Use

Patrick Glennon, CHP

Strontium 90/Yttrium 90 in a Novoste Beta-Cath System for calibrations, spot-checks, and training

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. The intravascular brachytherapy afterloader device shall be inspected and serviced at intervals recommended by the manufacturer, and maintenance and repair shall be performed by the manufacturer or persons specifically licensed by the U.S. Nuclear Regulatory Commission or an Agreement State to perform such services.

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16. 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 July 26, 2004 (ML042250346)
- B. Letter received December 20, 2004 (ML043640155)
- C. Letter dated January 4, 2005 (ML050210266)
- D. Letter dated March 1, 2005 (ML050970028)



For the U.S. Nuclear Regulatory Commission

Original signed by Michelle BeardsleyDate April 19, 2005

By

Michelle Beardsley
Medical Branch
Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406