



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

May 1, 2005

Docket No. 03011706
Control No. 136553

License No. 37-16826-01

Joseph H. Edgar, MHA
Vice President - Clinical Operations
Gettysburg Hospital Wellspan
147 Gettys Street
Gettysburg, PA 17325

SUBJECT: GETTYSBURG HOSPITAL WELLSPAN, ISSUANCE OF LICENSE
AMENDMENT, CONTROL NO. 136553

Dear Mr. Edgar:

This refers to your license amendment request dated February 10, 2005. Enclosed with this letter is the amended license authorizing you to perform prostate brachytherapy procedures permitted by 10 CFR 35.400. Please note that 10 CFR 35.400 has no provision to name an authorized medical physicist. Consequently, we have determined that your request to name Jadwiga B. Wojcicka, Ph.D. as authorized medical physicist is unnecessary at this time.

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 Sandra Gabriel

Sandra Gabriel
Senior Health Physicist
Medical Branch
Division of Nuclear Materials Safety

Enclosure:
Amendment No. 30

J. Edgar
Gettysburg Hospital Wellspan

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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:

Joseph C. Jones, M.D., Radiation Safety Officer

J. Edgar
Gettysburg Hospital Wellspan

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NAME	SGabriel/SLG2							
DATE	5/1/2005							

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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 style="text-align: center;">Licensee</p> <p>1. Gettysburg Hospital Wellspan</p> <p>2. 147 Gettys Street Gettysburg, Pennsylvania 17325</p>	<p>In accordance with the letter dated February 10, 2005,</p> <p>3. License number 37-16826-01 is amended in its entirety to read as follows:</p> <p>4. Expiration date August 31, 2013</p> <p>5. Docket No. 030-11706 Reference No.</p>
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| <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>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 and 6733 [manufactured by Medi-Physics, Inc. or Amersham Health])</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. 1000 millicuries</p> <p>D. 2000 millicuries</p> |
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9. Authorized use:
- A. Any uptake, dilution and excretion study permitted by 10 CFR 35.100.
- B. Any imaging and localization study permitted by 10 CFR 35.200.
- C. Any therapy procedure permitted by 35.300, except iodine-131, for which the patient can be released under the provisions of 10 CFR 35.75.
- D. Any manual brachytherapy procedure permitted by 10 CFR 35.400, for which the patient can be released under the provisions of 10 CFR 35.75.

CONDITIONS

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**License Number
37-16826-01Docket or Reference Number
030-11706

Amendment No. 30

10. Licensed material may be used or stored only at the licensee's facilities at 147 Gettys Street, Gettysburg, Pennsylvania.
11. The Radiation Safety Officer for this license is Joseph C. Jones, 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.
- B. The following individuals are authorized users for medical use as indicated:

<u>Authorized Users</u>	<u>Material and Use</u>
Amy-Beth Garazo, M.D.	35.100, 35.200
Marie V. Spagnoli, M.D.	35.100, 35.200
Rukhsana Rahman, M.D.	35.100, 35.200
Joseph C. Jones, M.D.	35.100, 35.200
Frank L. D'Amelio, M.D.	35.100; 35.200
Michael R. Watson, M.D.	35.300, except iodine-131; 35.400
Gregory A. Fortier, M.D.	35.400
Ronald H. Malcolm, M.D.	35.400
Amit Shah, M.D.	35.400
James A. Tegeler, M.D.	35.400

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."

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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 June 27, 2003 [ML031950379]
- B. Letter dated July 22, 2003 [ML032110012]
- C. Letter dated January 27, 2004 [ML040580223]
- D. Letter dated January 11, 2005 [ML050340566]
- E. Letter dated February 10, 2005 [ML050830295]
- F. Letter dated February 14, 2005 [ML050550417]
- G. Letter dated April 22, 2005 [ML051160227]



For the U.S. Nuclear Regulatory Commission

Date May 1, 2005

By

Original signed by Sandra Gabriel

Sandra Gabriel
Medical Branch
Division of Nuclear Materials Safety
Region I
King of Prussia, Pennsylvania 19406