



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION III  
2443 WARRENVILLE RD. SUITE 210  
LISLE, IL 60532-4352

MAR 10 2014

Edward F. Downey, Jr., D.O.  
Radiation Safety Officer  
Phelps County Regional Medical Center  
1000 West Tenth Street  
Rolla, MO 65401

Dear Dr. Downey:

Enclosed is Amendment No. 38 to your NRC Material License No. 24-18295-01 in accordance with your request. Please note that the major changes made to your license are printed in **bold** font.

Please review the enclosed document carefully and be sure that you understand all conditions. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region III office at (630) 829-9887 so that we can provide appropriate corrections and answers.

- A. *Please note that, at this time, we updated Subitem Nos. 7.G. and 9.G. to reflect your reduced authorizations as described in your letters dated September 5, 2013, and January 17, 2014.*
- B. *Please also note that we were unable to approve Jeffery S. Wyler as an Authorized Medical Physicist (AMP) because the Tennessee/Agreement State license submitted with your letter dated January 17, 2014, failed to show any information equivalent to NRC's Subitem Nos. 6, 7, 8 and 9, which is the radioactive materials authorized, their chemical and physical form, possession limits and authorized use.*

*The Tennessee license submitted does not show that high dose rate remote afterloading brachytherapy (HDR) is authorized as Amendment 222 was not "amended in entirety." The license was amended "in part" and none of the parts listed show HDR authorization.*

*We will need a complete, signed version of this license, or sufficient amendments, to clearly show the entire signed license that includes Mr. Wyler as an AMP.*

*Please submit a written response, currently dated and signed by a senior management representative, to enable us to verify that Mr. Wyler is qualified as an AMP. Please address your response to my attention as "additional information to control number 582844."*

- C. *Please be reminded of the provisions in 10 CFR 30.9(a), "Completeness and accuracy of information,"..."(a) Information provided to the Commission by an applicant for a license or by a licensee or information required by statute or by the Commission's*

The enclosed document contains sensitive security-related information.  
When separated from this cover letter this letter is uncontrolled.

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*regulations, orders, or license conditions to be maintained by the applicant or the licensee shall be complete and accurate in all material respects."*

If you have any questions concerning this amendment please contact me at either (630) 829-9841 or (800) 522-3025, ext. 9841. My fax number is 630-515-1078.

NRC's Regulatory Issue Summary (RIS) 2005-31 provides criteria to identify security-related sensitive information and guidance for handling and marking of such documents. This ensures that potentially sensitive information is not made publicly available through ADAMS, the NRC's electronic document system.

Pursuant to NRC's RIS 2005-31 and in accordance with 10 CFR 2.390, the enclosed license document is exempt from public disclosure because its disclosure to unauthorized individuals could present a security vulnerability.

The RIS may be located on the NRC Web site at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/reg-issues/2005/ri200531.pdf> and the link for frequently asked questions regarding protection of security related sensitive information may be located at: <http://www.nrc.gov/reading-rm/sensitive-info/faq.html>.

A copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). The NRC's document system is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

You will be periodically inspected by NRC. Failure to conduct your program in accordance with NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC will result in enforcement action against you.

This could include issuance of a notice of violation, or 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.

Since serious consequences to employees and the public can result from failure to comply with NRC requirements, prompt and vigorous enforcement action will be taken when dealing with licensees who do not achieve the necessary meticulous attention to detail and the high standard of compliance which NRC expects of its licensees.

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency's *expectations* for individuals and organizations to establish and maintain a positive safety culture.

You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html>.

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We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

Sincerely,

A handwritten signature in cursive script that reads "Colleen Carol Casey".

Colleen Carol Casey  
Materials Licensing Branch

License No. 24-18295-01  
Docket No. 030-14804

Enclosure:  
Amendment No. 38 |