

Diagnostic Laboratories, LLC

101 Dillon Court, Gray, Tennessee 37615
Phone: (423) 477-2440 Fax: (423) 477-3233

14 October 2019

Licensing Assistance Team
Division of Nuclear Materials Safety
U.S. Nuclear Regulatory Commission, Region I
2100 Renaissance Boulevard, Suite 100
King of Prussia, PA 19406-2713

Branch 1
03038552

Amendment Request License # 41-31476-01

To Whom it May Concern,

This request is to add four new Authorized Users to the license.

The additions of authorized users are for materials as listed in 10 CFR 35.200. Kellie K. Gooding, M.D., Jill Justice, M.D., Barbara Lahr, M.D., and Richard T. Mull are currently listed as authorized users on the materials permit for the Department of Veterans Affairs at the Hershel "Woody" Williams VA Medical Center located at 1540 Spring Valley Drive, Huntington, WV 25704 (National Health Physics Program Materials Permit Number: 47-03630-02).

I have attached the National Health Physics Program Materials Permit Numbered 47-03630-02 for your reference. Please feel free to contact me if you require any further information.

Respectfully,

Blaine J Beining

NMSS/RGN1 MATERIALS-002

Blaine J Beining B.S., CNMT(PET)(RS), RT(N)(CT)
Radiation Safety Officer

Attachments: NHPP Materials Permit Number 47-03630-02

617082

Department of Veterans Affairs

Page 1 of 3 pages	MATERIALS PERMIT	Amendment No. 77
In accordance with VHA Directive 1105 and reliance on statements made by the applicant, permission is hereby granted to receive, possess, transfer, and store radioactive materials listed below, and to use this material for the purpose and at the places listed below.		
<p style="text-align: center;">Permittee</p> <p>1. Hershel "Woody" Williams VA Medical Center</p> <p>2. 1540 Spring Valley Drive Huntington, West Virginia 25704</p>	<p>3. In accordance with your request of February 26, 2019, Permit Number 47-03630-02 is amended to read as follows.</p> <hr/> <p>4. Expiration date: April 30, 2025</p> <hr/> <p>5. Docket or Reference Number: 030-03379</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. Gadolinium 153 permitted by 10 CFR 35.500</p> <p>E. Hydrogen 3</p> <p>F. Carbon 14</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 (North American Scientific Model MED 3601 or Isotope Products Lab Model A3410)</p> <p>F. Any</p> <p>G. Any</p> | <p>8. Maximum amount permittee may possess at any one time under this permit</p> <p>A. As needed</p> <p>B. As needed</p> <p>C. 1.5 curies (Ci)</p> <p>D. 300 millicuries per source and 1.2 Ci total</p> <p>F. 0.15 Ci</p> <p>G. 0.05 Ci</p> |
|---|---|--|

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 diagnostic study or therapy procedure permitted by 10 CFR 35.300.
 - D. - F. Storage only, pending disposal.

CONDITIONS

- 10. Permitted material may be used or stored only at the permittee's facilities located at 1540 Spring Valley Drive, Huntington, West Virginia.
- 11. The Radiation Safety Officer for this permit is James T. Norweck, MS, DABR. A written continuity plan for a qualified Radiation Safety Officer shall be kept current and be approved, annually, by the Radiation Safety Committee. If the Radiation Safety Officer permanently discontinues duties under this permit, the permittee shall immediately notify the National Health Physics Program. Permit activities must cease without a qualified Radiation Safety Officer who meets Nuclear Regulatory Commission requirements.
- 12. Permitted material is only authorized for use by, or under the supervision of:
 - A. Individuals permitted to work as an authorized user and/or authorized nuclear pharmacist in accordance with 10 CFR 35.13 and 35.14.

**MATERIALS PERMIT
SUPPLEMENTARY SHEET**

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Permit Number: 47-03630-02

Docket or Reference Number: 030-03379

Amendment No. 77

B. The following individuals are authorized users for the materials and uses indicated.

<u>Authorized User</u>	<u>Material and Use</u>
Sylvester Cansino, M.D.	35.200
Kellie K. Gooding, M.D.	35.100, 35.200, 35.300
Jill Justice, M.D.	35.100, 35.200, 35.300
Barbara Lahr, M.D.	35.100, 35.200, 35.300
Richard T. Mull, M.D.	35.100, 35.200, 35.300; Oral administration of sodium iodide I-131 in quantities less than or equal to 33 millicuries
Tina M. Sias, M.D.	35.100, 35.200
Cheryl D. Baker, M.D.	35.100-35.200

13. This permit does not authorize commercial distribution of permitted material.

14. For sealed sources not associated with 10 CFR 35 use, the following conditions apply:

- C. Sealed sources shall be tested for leakage and/or contamination at intervals not to exceed the intervals specified by the certificate of registration issued by the Nuclear Regulatory Commission under 10 CFR 32.210 or under equivalent regulations of an Agreement State.
- B. Notwithstanding Paragraph A of this permit condition, sealed sources designed to primarily emit alpha particles shall be tested for leakage and/or contamination at intervals not to exceed 3 months.
- C. Each sealed source fabricated by the permittee shall be inspected and tested for construction defects, leakage, and contamination prior to any use or transfer as a sealed source.
- D. In the absence of a certificate from a transferor indicating a leak test has been made within the intervals specified in the certificate of registration issued by the Nuclear Regulatory Commission under 10 CFR 32.210 or under equivalent regulations of an Agreement State, prior to the transfer, a sealed source received from another person shall not be put into use until tested and the test results received.
- E. Sealed sources need not be tested if they contain only hydrogen 3, or they contain only a radioactive gas, or the half-life of the isotope is 30 days or less, or they contain not more than 100 microcuries of beta- and/or gamma-emitting material, or not more than 10 microcuries of alpha-emitting material.
- F. Sealed sources need not be tested if they are in storage and are not being used; however, when they are removed from storage for use or transfer to another person, and have not been tested within the required leak test interval, they shall be tested before use or transfer. No sealed source shall be stored for a period of more than 10 years without being tested for leakage and/or contamination.
- G. The leak test shall be capable of detecting the presence of 0.005 microcurie (185 becquerels) of radioactive material on the test sample. If the test reveals the presence of 0.005 microcurie (185 becquerels) or more of removable contamination, a report shall be filed with the National Health Physics Program in accordance with 10 CFR 30.50(c)(2), and the source shall be removed immediately from service and decontaminated, repaired, or disposed of in accordance with Nuclear Regulatory Commission regulations.
- H. Tests for leakage and/or contamination, including leak test sample collection and analysis, shall be performed by the permittee or by other persons specifically licensed by the Nuclear Regulatory Commission or an Agreement State to perform such services.

15. Sealed sources containing permitted material shall not be opened or sources removed from source holders by the permittee.

**MATERIALS PERMIT
SUPPLEMENTARY SHEET**

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Permit Number: 47-03630-02

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16. A. The permittee shall conduct physical inventories to account for all sealed sources and/or devices received and possessed under this permit.

(1) Quarterly, for sealed sources with either current activity greater than 1 millicurie or current activity greater than 1000 times the quantities in 10 CFR 20, Appendix C.

(2) Semiannually, for all other sealed sources, except sources specifically exempted by 10 CFR 30.

B. The permittee shall maintain records for 3 years from the date of each inventory and include the radionuclides, quantities, manufacturer's name and model numbers, location of the sources and/or devices, and the date of the inventory.

C. The permittee shall classify sealed sources, not in active use for their intended clinical or research purpose for a period of 24 months, as disused sources and evaluate the disused sources for disposal as expeditiously as possible.

D. The permittee shall provide oversight for security of radioactive materials by:

(C) Compliance with regulations per 10 CFR 20.1801 and 10 CFR 20.1802.

(2) Prevention of adversary or unauthorized removal of, or access to, radioactive materials.

(3) Use of two delay methods for sealed sources not in use.

(4) Focus to security commensurate with possible risks of radioactive materials unauthorized use.

17. The permittee is authorized to transport permitted material in accordance with the provisions of 10 CFR 71, "Packaging and Transportation of Radioactive Material."

18. Except as specifically provided otherwise in this permit, the permittee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. This permit condition applies only to those procedures required to be submitted in accordance with the regulations. Additionally, this permit condition does not limit the permittee's ability to make changes to the radiation protection program as provided for in 10 CFR 35.26. The Nuclear Regulatory Commission regulations shall govern unless the statements, representations, and procedures in the permittee's application and correspondence are more restrictive than the regulations.

A. March 13, 2015, Final Renewal Application

B. May 4, 2015, Letter

C. November 23, 2015, Letter

D. January 4, 2017, Memorandum w/atch

E. July 26, 2018, Letter w/atch

F. February 26, 2019, Memorandum w/atch

[remove Dr. Boshell as authorized user]

[remove Dr. Moore as authorized user]

[add Dr. Baker as an authorized user]

[Name change; add Dr. Mull as authorized user]

[add 2B100c as area of use]

FOR THE DEPARTMENT OF VETERANS AFFAIRS

KIM C. WIEBECK

1023080

Digitally signed by KIM C.
WIEBECK 1023080
Date: 2019.03.01 11:12:00
-06'00'

Date March 1, 2019

By

Kim C. Wiebeck

Program Manager, National Health Physics Program
North Little Rock, Arkansas



ACKNOWLEDGEMENT - RECEIPT OF CORRESPONDENCE

Name and Address of Applicant and/or Licensee

Diagnostic Laboratories, LLC
ATTN: Blaine Beining, BS, CNMT, RT, Radiation
Safety Officer
101 Dillon Court
Gray, TN 37615

Date

11/26/2019

License Number(s)

41-31476-01

Mail Control Number(s)

617082

Licensing and/or Technical Reviewer or Branch

MLAB, DNMS

This is to acknowledge receipt of your: ☒ Letter and/or ☐ Application Dated: 10/14/2019

The initial processing, which included an administrative review, has been performed.

☒ Amendment ☐ Termination ☐ New License ☐ Renewal

☒ There were no administrative omissions identified during our initial review.

☐ This is to acknowledge receipt of your application for renewal of the material(s) license identified above. Your application is deemed timely filed, and accordingly, the license will not expire until final action has been taken by this office.

☐ Your application for a new NRC license did not include your taxpayer identification number. Please complete and submit NRC Form 531, Request for Taxpayer Identification Number, located at the following link: <http://www.nrc.gov/reading-rm/doc-collections/forms/nrc531.pdf>
Follow the instructions on the form for submission.

☐ The following administrative omissions have been identified:

Your application has been assigned the above listed MAIL CONTROL NUMBER. When calling to inquire about this action, please refer to this control number. Your application has been forwarded to a technical reviewer. Please note that the technical review, which is normally completed within 180 days for a renewal application (90 days for all other requests), may identify additional omissions or require additional information. If you have any questions concerning the processing of your application, our contact information is listed below:

Region I
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Division of Nuclear Materials Safety
2100 Renaissance Boulevard, Suite 100
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(610) 337-5260, (610) 337-5313,
(610) 337-5398, (610) 337-5513 or (610) 337-5239