UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

26-00138-10
03002409

May 23, 1996

Department of Veterans Affairs
ATTN: Alan J. Blotcky, M.S.
Radiation Safety Officer
V. A. Medical Center
4101 Woolworth Avenue
Omaha, NE 68105

SUBJECT: NOTICE OF DENIAL FOR LICENSE AMENDMENT REQUEST TO CHANGE LICENSE TYPE

This is in response to your letters dated September 23, 1993, and May 16, 1994, regarding your amendment request to change the medical center license from a "Type A Broad Scope" to a "Hybrid Broad" license. Although the amendment request referred to a "Hybrid Broad Scope Category," NRC has neither a program code nor fee category for this term.

The request by the Department of Veterans Affairs (DVA) located in Omaha, Nebraska to downgrade its broad scope license to a limited specific license, while maintaining the broad scope exemptions granted in §35.15 is hereby denied for the reason set forth below. In accordance with 10 CFR 2.103, DVA - Omaha, Nebraska has the right to demand a hearing on this matter within 20 days from the date of this notice of denial.

The amendment request is denied because exemptions specified for broad scope licenses in §35.15 are reserved for broad scope licensees. Such exemptions can not be granted to limited specific licensees. This decision was discussed on February 29, 1996, in a telephone conversation between Larry Camper, Chief of the Medical, Academic, and Commercial Use Safety Branch, Division of Industrial and Medical Nuclear Safety, and members of his staff with Mr. Francis Herbig and Dr. Milton Gross of the DVA. In that conversation, clarification was provided that during the interim period since receiving the amendment request, §35.13 was revised to provide authorization to limited specific licensees for approving medical authorized users (AUs) based upon the certification specifications in paragraph (a) of §35.910, §35.920, §35.930, §35.940, §35.950, and §35.960. Also, corresponding NRC notification was included in §35.14(a) and (b). Therefore, a portion of the request made by DVA - Omaha, Nebraska, is now authorized pursuant to 10 CFR Part 35.

Descriptions in a specific license of limited scope are more detailed and less flexible than for a license of broad scope. Note that the Commission issued 10 CFR Part 33 to provide for licensees needing the flexibility to approve new users and new uses and to use a wide variety of isotopes. The enclosed Policy and Guidance Directive FC 92-02, "Guidance on Licensing Medical Facilities with Broad Scope Programs," describes the criteria for a medical broad scope program code. Any need for the flexibility provided by Part 33 for other types of licenses (i.e., specific license of limited scope) must be fully justified and explained.

ML40
ORIGINAL SENT TO DCS 5/96

200163
9605280230
10/7/96

Concerning addit onal questions on the fees for DVA facilities, the Industrial, Medical, and Academic Branch (IMAB) staff informed the DVA representatives that, pursuant to the current fee regulations and structuring, an NRC licensed program with both NRC medical and non-medical licensed areas will be assessed fees associated with a broad scope license if either or both areas are determined by the License Fee Branch to possess broad scope authority (i.e., via corresponding broad scope program licensing codes).

As a result of the above denial, DVA - Omaha, Nebraska, remains a Medical Institution Type A Broad Scope licensee, thus being responsible for the safe and compliant use of the licensed material and for the payment of appropriate fees.

If you have questions or require clarification on any of the information stated above, we encourage you to contact Jacqueline D. Burks, of my staff at (817) 860-8132.

Sincerely,

D. Blair Spitzberg, Chief
Nuclear Materials Licensing Branch
Division of Nuclear Materials Safety

License: 26-00138-10
Docket: 030-02409
Controls: 464939
465241

Enclosure:
As stated

bcc:
DMB - Original (IE-07)
LJCallan
CCCain
LWCamper, (8 F 5)
SRWoods, (8 F 5)
DBSpitzberg
LLHowell
FAWenslawski
JDBurks
SLMerchant, NMSS/IMAB, (8 F 5)
NMLB File
MIS System
RIV Nuclear Materials File - 5th Floor

DOCUMENT NAME: G:\NMLS\O\JDBVAOMAHA.LTR
To receive copy of document, indicate in box: "C" = Copy without enclosures "E" = Copy with enclosures "N" = No copy

RIV:NMLB		C:NMLB		DD:DMB		D:DNMS			
JDBurks:nh		DBSpitzberg		DDChamberlain		RAScarano			
05/17/96		05/17/96		05/23/96		05/23/96			

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JUN 29 1994

CONTROL
NMLS

MEMORANDUM FOR: Douglas M. Collins, Chief
Nuclear Materials Safety and Safeguards Branch, RII

FROM: John E. Glenn, Chief
Medical, Academic, and Commercial
Use Safety Branch
Division of Industrial and
Medical Nuclear Safety, NMSS

SUBJECT: TECHNICAL ASSISTANCE REQUEST: DEPARTMENT OF VETERANS AFFAIRS REQUEST TO CHANGE NRC LICENSES AT FOUR MEDICAL CENTERS FROM TYPE A BROAD SCOPE TO "HYBRID BROAD" LICENSES

This is in reference to your Technical Assistance Request (TAR) dated March 31, 1994 (Enclosure 1), requesting guidance on attributes of a broad scope license that define a broad scope fee category and whether a new fee category is needed. The Office of Nuclear Material Safety and Safeguards (NMSS) does not determine either fees or fee categories. Therefore the Office of the Controller (OC) should be contacted to resolve licensee fee questions. NMSS provides guidance on determining program codes, which along with other considerations, may be used by OC in their fee category and fees determinations.

The TAR was based on the Department of Veterans Affairs' request to change four medical center licenses from "Type A Broad scope" to "Hybrid Broad" licenses. Although each licensee referred to a "Hybrid Broad Scope Category," NRC has neither a program code nor fee category for this term. Each licensee should be asked to provide a more detailed description of the specific intended changes in their radiation safety programs. This information will enable you to determine whether the program codes should be changed from 02110 to the appropriate combination of 02120 and 03610, 03611, 03612, or 03620.

Policy and Guidance Directive FC 92-02, "Guidance on Licensing Medical Facilities with Broad Scope Programs" (Enclosure 2), describes the criteria for a medical broad scope program code. It also states "licensees holding specific licenses of limited scope may, upon written request in their application, also approve medical/human use authorized users providing the Radiation Safety Committee agrees to abide by the criteria detailed in Subpart J." This written request should name the specific individuals on the radiation safety committee and provide their training and experience. This information does not need to be resubmitted if it is already part of the license. The new duties of the radiation safety committee should be adequately defined so it is clear when the licensee needs a NRC amendment for situations that were previously authorized by the former broad scope radiation safety committee.

If the licensee intends to maintain a broad scope research and development program for the nonmedical use aspect of the program, no additional changes will be needed. If, however, the licensee requests changing from a broad scope research and development program to a limited specific research and

Jackie
Kooiman/Jackie

development program, the licensee will have to describe the new program in more detail. Specifically, those aspects of the program currently authorized by a broad scope radiation safety committee that will require an amendment request need to be identified.

In practice, descriptions in a specific license of limited scope are more detailed and less flexible than for a license of broad scope. The applicant should be made aware that the Commission issued 10 CFR Part 33 to provide for licensees needing the flexibility to approve new users and new uses and to use a wide variety of isotopes. Any need for the flexibility provided by Part 33 for other types of licenses must be fully justified and explained. Further, with the exception of requesting the naming of physician authorized users who meet the criteria of 10 CFR 35 Subpart J, the region should consult with Headquarters prior to granting any new authorizations on a limited specific license that are normally reserved for licenses of broad scope.

After the region (and Headquarters, if appropriate) has reviewed the documentation provided by the licensee, amended the license, and assigned the appropriate program code, the fee category (or categories) will be assigned accordingly by OC. If the licensees have further questions concerning fees, they should contact Glenda Jackson, Office of the Controller, at (301) 415-6057.

If you have any questions about this memorandum, please contact Dr. Donna-Beth Howe, (301) 415-7848.

John E. Glenn, Chief
Medical, Academic, and Commercial
Use Safety Branch
Division of Industrial and
Medical Nuclear Safety, NMSS

Enclosures: 1. TAR dtd 3/31/94
2. P&GD FC 92-02

Distribution: IMNS 739 Closed

MShanbacky, RI	RCaniano,RIII	JRicci, AEOD/TTC	IMNS Central File
JJohansen, RI	WFisher, RIV	JJSurmeier,GPA/OSP	JKinneman,RI
SJCollins,RIV	CPaperiello	RRBellamy, RI	BPrange, RV
FCostello, RI	GYuhas, RV	IMAB r/f	CHosey, RII
CCain, RIV	JPiccone	IMOB r/f	JEnnis,RII
DCollins, RII	PVacca	NRC File Center	BJHolt, RIII
RFonner, OGC	JMadera, RIII	STreby, OGC	JPotter, RII
JGrobe, RIII	HP Data,IMOB	WBrach	FCombs, IMOB

OFC	IMAB		*IMAB	N	*IMAB	E	*IMOB	E
NAME	DBHowe		LWCamper		JEGlenn		FCOMBS	
DATE	6/ /94		6/10/94		6/13/94		6/15/94	

OFC	*OC		*OGC		DD/IMNS		D/IMNS	
NAME	DDandois		STreby		EWBrach		CPaperiello	
DATE	6/16/94		6/27/94		6/ /94		6/ /94	

C = COVER E = COVER & ENCLOSURE N= NO COPY G:\DBH\VABROAD.TAR

* see previous concurrence

NOTE TO: File

March 15, 1996

FROM: Larry W. Camper, Chief
Medical, Academic, and Commercial
Use Safety Branch
Division of Industrial and
Medical Nuclear Safety, NMSS

FILE
RECEIVED
APR 24 1996
REGION IV

SUBJECT: CLOSURE OF DIVISION TICKET FOR TECHNICAL ASSISTANCE REQUEST REGARDING LICENSE AMENDMENT REQUESTS FROM FOUR DEPARTMENT OF VETERANS AFFAIRS FACILITIES TO DOWNGRADE FROM A BROAD SCOPE LICENSE TO A "HYBRID BROAD SCOPE LICENSE" (IMNS810)

This note to file closes IMNS ticket number 810, the technical assistance request (TAR) to review "hybrid broad scope" license requests from the Department of Veterans Affairs (DVA) facilities (Attachment 1). The facilities are presently licensed as broad scope facilities and include the following locations: Little Rock, Arkansas; Omaha, Nebraska; Denver, Colorado; and Salt Lake City, Utah. The TAR, dated July 27, 1994, was reviewed by IMAB and addressed with the regions by Don Cool during a conference call with the DRSS Division Directors on February, 9, 1996.

During the conference call Dr. Cool indicated that the exemptions specified for broad scope licenses in §35.15 are reserved for broad scope licensees. Such exemptions can not be granted to limited specific licensees. Hence, the DVA requests to downgrade broad scope licenses to limited specific licenses, while maintaining the broad scope exemptions granted in §35.15, should be denied. The issue will be reiterated in the TAR response regarding DVA Northport, New York (IMNS982) and a copy provided to each of the DRSS chiefs.

Additionally, on February 29, 1996, myself, Dr. Patricia Holahan, and Susanne Woods held a conference call with Mr. Francis Herbig and Dr. Milton Gross of the DVA. During the call, Mr. Herbig and Dr. Gross were informed of the information regarding broad scope licenses (§35.15) that was transmitted to the regions during the DRSS Division Directors call. Clarification was provided that, during the interim period since receiving the TAR requests, §35.13 was revised to provide authorization to limited specific licensees for approving medical authorized users based upon the certification specifications in paragraph (a) of §35.910, §35.930, and §35.950. Corresponding NRC notification was also included in §35.14 (a) and (b). Hence, some of the requests made by the DVA facilities are now authorized pursuant to 10 CFR Part 35.

DVA representatives were also informed that guidance allowing limited specific licensees to name their own non-medical authorized users was drafted and undergoing the NRC review and concurrence process. The NRC staff indicated that this guidance and §35.15 guidance would be also be part of the headquarters TAR response regarding the DVA Northport license amendment request. In addition, it was explained the remaining amendment requests will be answered by the regional offices, as directed during the DRSS Division Directors conference call.

There were additional questions on the fees for DVA facilities. The staff informed the DVA representatives that, pursuant to the current fee regulations

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and structuring, an NRC licensed program with both NRC medical and non-medical licensed areas will be assessed fees associated with a broad scope license if either or both areas are determined by fees to possess broad scope authority (e.g., via corresponding broad scope program licensing codes).

Subsequently, the guidance was discussed during the IMAB monthly conference call with the regions on March 6, 1996. The current policy and status of the DVA Northport TAR response were also clarified in an electronic mail message to the regional chiefs involved with the DVA issue (Attachment 2).

Attachments: 1. IMNS810 ticket package and additional actions
2. E-mail to regional chiefs

cc: PCVacca, IMAB
SRWoods, IMAB
PKHolahan, IMAB

RECEIVED
APR 24 1996
REGION IV

FILE COPY

From: David Spitzberg (DBS)
To: NCD2.AR1.JDB
Date: Monday, March 25, 1996 7:48 am
Subject: VA TAR

Jackie - In last week Division Director's call, Camper said the Regions will send letters of denial to the VA licensees that have requests pending for conversion to limited scope licenses. The boilerplate letter will be drafted by RII and will be circulated for comment. The other regions will use the RII letter to generate letters to effected VA licensees in their region.

- Blair

4/17/96: Spoke w/ Suzanne Woods from Headquarters and she said that the response to the VA Northport TAR (which is the model we should use) is in Fred Combs's office for concurrence. From there it goes to Don Cool and then Larry Camper. Thinks it should be issued at the end of the week.

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From: Susanne Woods (SRW)
To: regchfs396, NCD2.AR1.JDB, TWP9.GCJ
Date: Tuesday, March 12, 1996 10:22 am
Subject: Guidance regarding DVA "Hybrid Broad Scope License" Requests

At the request of Larry Camper, I am forwarding this message as clarification of the current NMSS/IMNS guidance on the matter of the Department of Veterans Affairs (DVA) amendment requests. Specifically, the requests are to recategorize several broad scope licenses as limited specific licenses, while retaining flexibility to manage their program locally ("hybrid broad scope licenses").

A proposal was developed during the DRSS Division Directors conference call on February 9, 1996. At that time it was determined that the exemptions specified for broad scope licenses in § 35.15 are reserved for broad scope licensees. Such exemptions can not be granted to limited specific licensees. Hence, the DVA requests to downgrade broad scope licenses to limited specific licenses, while maintaining the broad scope exemptions granted in § 35.15, should be denied.

This issue was addressed again during the IMAB monthly conference call on March 5, 1996. The guidance will be reiterated in a TAR response regarding the DVA Northport facility. The response is presently in concurrence and includes guidance for granting limited specific licensees the authority to name their own non-medical authorized users.

While other proposals have been identified, the regions should use the guidance developed during the DRSS conference call, as will be further clarified in the response to the TAR for DVA Northport.

Additionally, on February 29, 1996, individuals from the IMAB staff held a conference call with Mr. Francis Herbig and Dr. Milton Gross of the DVA. During the call, Mr. Herbig and Dr. Gross were informed of the information regarding broad scope licenses (§ 35.15) that was transmitted to the regions during the DRSS Division Directors call. Clarification was provided that, during the interim period since receiving the TAR requests, § 35.13 was revised to provide authorization to limited specific licensees for approving medical authorized users based upon the certification specifications in paragraph (a) of
§ 35.910, § 35.930, and § 35.950. Corresponding NRC notification was also included in § 35.14 (a) and (b). Hence, some of the requests made by the DVA facilities are now authorized pursuant to 10 CFR Part 35.

CC: LWC, PKH, DBH, KPD1.KPP1.MRB

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November 7, 1994

Jack:

Received a call from Suzanne Woods from Headquarters concerning the status of a response for the VA-Little Rock, VA-Denver, VA-Omaha, and VA-Salt Lake City TARs.

Ms. Woods stated that a response to the VA TARs will be incorporated in an update to Policy and Guidance Directive (P&GD) 92-02. Dr. Glenn has developed a set of criteria that distinguishes broadscope from limited scope (this is the basis for the updated P&GD 92-02) and based on the 1st cut of this policy, none of the VAs will fit into the limited scope category.

Asked Ms. Woods would the responses to VA TARs from other regions be based on this updated P&GD 92-02? She stated that she didn't know anything about responses to other regional VA TARs; she only knew about RIV VA TAR.
(See TAR response to RII from J.E. Glenn)

Ms. Woods stated that she will keep us posted as new developments occur.

Jackie

UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

REQUEST FOR TECHNICAL ASSISTANCE

DATE: September 30, 1993

TO: John E. Glenn, Chief
Medical, Academic, and Commercial
Use Safety Branch, NMSS

FROM: L. J. Callan, Director
Division of Radiation Safety
and Safeguards, Region IV

DC for 10-4-93

LICENSEE: Department of Veterans Affairs — **LICENSE NO:**05-01401-02
Omaha, Nebraska

Department of Veterans Affairs — **LICENSE NO:**03-01082-01
Little Rock, Arkansas

Department of Veterans Affairs — **LICENSE NO:**26-00138-10
Denver, Colorado

Department of Veterans Affairs — **LICENSE NO:**43-03299-01
Salt Lake, Utah

X Control NOs. (enclosed)

464939
464495
464954
464955

__ Letter Dated (enclosed)

__ Suggest change in licensing procedure (enclosed)

__ Other (see remark)

PROBLEM/ISSUE:

As advised by the Department of Veterans Affairs Central Office (VA Central), VA broad scope licensees are requesting that they be placed in a "Hybrid Broad Scope License" category. These licensees are requesting that human research, other than that authorized by 10 CFR Part 35, not be authorized on their respective licenses. In discussions with the VA Little Rock, it is our understanding that the VA's have been instructed to convert to a licensing format similar to VA New Orleans (license attached). Policy Guidance and Directive 92-02 provided instructions to the Regions to review their existing broad scope medical licensees with program code 02110 to determine if they

should be changed to 02120 with secondary codes of 03610, 03611, 03612, or 03620.

We request that policy and guidance be provided for determining the appropriate program code that should be assigned to these "Hybrid Broad Scope" licenses resulting from these requested downgrades.

Region IV's major concerns are for licensees who are currently classified as program code 02110 or 02120 in conjunction with a secondary code of either 03610, 03611, or 03612 who request a downgrade to a license similar to that of VA New Orleans. VA New Orleans is now classified as program code 02120 with secondary code of 03620, and is **considered by Region IV based on current guidance for assigning program codes, not to be a broad scope license**, only a medical institution limited license with a non-human use research and development authorization.

NOTE:	The VA New Orleans license has been identified by VA Central as a template for others to follow.

ACTION REQUIRED:

We request that NMSS provide policy and guidance for assigning program codes to these licenses relative to downgrades to hybrid broad scope licenses.

We request that NMSS provide licensing guidance on specific requirements necessary to downgrade these VA licenses.

Because a licensee's fee category will be determined by its authorizations on October 1, 1993, and it would be impossible to get these licenses downgraded before that date, additional guidance similar to guidance forthcoming on academic institutions should be provided by NMSS/Fees Debt and Collection Branch on handling these specific licensing cases.

ALTERNATIVES CONSIDERED:

Because this is a nationwide effort on the part of VA Central, NMSS should address this class action licensing request in a format similar to the manner in which Syncor's regional license is being addressed. In order to maintain uniformity between Regions, NMSS should coordinate all licensing activities relative to the VA Central's efforts to downgrade all broad scope licenses.

RECOMMENDED ALTERNATIVE:

Address this class action licensing request in a format similar to the manner in which Syncor's regional license is being addressed. In order to maintain uniformity between Regions, NMSS should coordinate all licensing activities relative to VA Central's efforts to downgrade all broad scope licenses.

REMARKS:

It is our understanding that the program codes assigned to these licensing actions will determine if licensees are to be classified in a fee category 7B or 7C.

Discussions with VA Oklahoma City and VA Little Rock indicate that licensees wish to keep the flexibility of their existing licenses. However, instructions from VA Central are to amend and downgrade licenses.

We understand from conversations with NMSS that VA Central has contacted them and they are aware of efforts to downgrade licenses and change fee categories.

Region IV Reviewer: Jack E. Whitten
Senior Health Physicist
Reviewer Code: T1
Reviewer Phone No.: 817-860-8197

RIV:NMLS	C:NMLS	ADD:DRSS	AD:DRSS	
JEWhitten	WLFisher	CLCain	DDChamberlain	
10/01 /93	10/ 1 /93	10/ 4 /93	10/ 4 /93	

Amendment No. 19

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, 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.

Licensee	In accordance with letter dated September 16, 1993
1. Department of Veterans Affairs Veterans Administration Medical Center	3. License number 17-01322-07 is amended in its entirety to read as follows:
2. 1601 Perdido Street New Orleans, Louisiana 70146	4. Expiration date September 30, 1990
	5. Docket or Reference No 030-15040

6. Byproduct, source, and/or special nuclear material	7. Chemical and/or physical form	8. Maximum amount that licensee may possess at any one time under this license
A. Any byproduct material identified in 10 CFR 35.100	A. Any radiopharmaceutical identified in 10 CFR 35.100	A. As needed
B. Any byproduct material identified in 10 CFR 35.200	B. Any radiopharmaceutical identified in 10 CFR 35.200	B. As needed
C. Any byproduct material identified in 10 CFR 35.300	C. Any radiopharmaceutical identified in 10 CFR 35.300	C. As needed
D. Any byproduct material identified in 10 CFR 35.400	D. Any brachytherapy source identified in 10 CFR 35.400	D. As needed
E. Any byproduct material identified in 10 CFR 35.500	E. Sealed sources for diagnostic devices identified in 10 CFR 35.500	E. 2 curies per source
F. Any byproduct material identified in 10 CFR 31.11	F. Any, except as sealed sources	F. 200 millicuries of each byproduct material authorized in Subitem 6.F.
G. Americium-241	G. Sealed sources	G. 90 millicuries

MATERIALS LICENSE
SUPPLEMENTARY SHEET

License number 17-01322-07

Docket or Reference number 030-15040

Amendment No. 19

6. Byproduct, source, and/or special nuclear material	7. Chemical and/or physical form	8. Maximum amount that licensee may possess at any one time under this license
H. Cesium-137	H. Sealed sources	H. 400 millicuries
I. Chromium-51	I. Any	I. 200 millicuries
J. Iodine-131	J. Any	J. 100 millicuries
K. Iodine-125	K. Any	K. 750 millicuries
L. Hydrogen-3	L. Any	L. 900 millicuries
M. Sulfur-35	M. Any	M. 50 millicuries
N. Calcium-45	N. Any	N. 10 millicuries
O. Phosphorus-32	O. Any	O. 50 millicuries
P. Carbon-14	P. Any	P. 70 millicuries
Q. Chlorine-36	Q. Any	Q. 100 millicuries
R. Iron-59	R. Any	R. 50 millicuries
S. Rubidium-86	S. Any	S. 50 millicuries
T. Selenium-75	T. Any	T. 50 millicuries
U. Yttrium-90	U. Any	U. 50 millicuries
V. Technetium-99m	V. Any	V. 100 millicuries

9. Authorized Use:

A.	Medical use described in 10 CFR 35.100.
B.	Medical use described in 10 CFR 35.200.
C.	Medical use described in 10 CFR 35.300.
D.	Medical use described in 10 CFR 35.400 and, for Cesium-137, calibration of licensee's survey meters and personnel dosimeters.
E.	Medical use described in 10 CFR 35.500.
F.	In vitro studies.
G.	For storage only.
H.	For use in instrument calibration.
I. through V.	For use in research and development as defined in §30.4 of 10 CFR Part 30 and animal research.

MATERIALS LICENSE
SUPPLEMENTARY SHEET

License number
17-01322-07

Docket or Reference number
030-15040

Amendment No. 19

CONDITIONS

10. Location of use: 1601 Perdido Street, New Orleans, Louisiana.

11. Radiation Safety Officer: Carl L. Gaspard

12. A. Licensed materials shall be used by, or under the supervision of, individuals designated by the Radioisotopes and Radiation Safety Committee, Dr. Olga A. Correa, Chairman.

    B. The licensee's Radioisotope and Radiation Safety Committee may permit any physician to use byproduct material for medical use. The physician must meet the appropriate training and experience criteria in 10 CFR Part 35, Subpart J.

13. The licensee shall maintain records of information important to safe and effective decommissioning at Veterans Administration Medical Center, 1601 Perdido Street, New Orleans, Louisiana, per the provision of 10 CFR 30.35(g) until this license is terminated by the Commission.

MATERIALS LICENSE
SUPPLEMENTARY SHEET

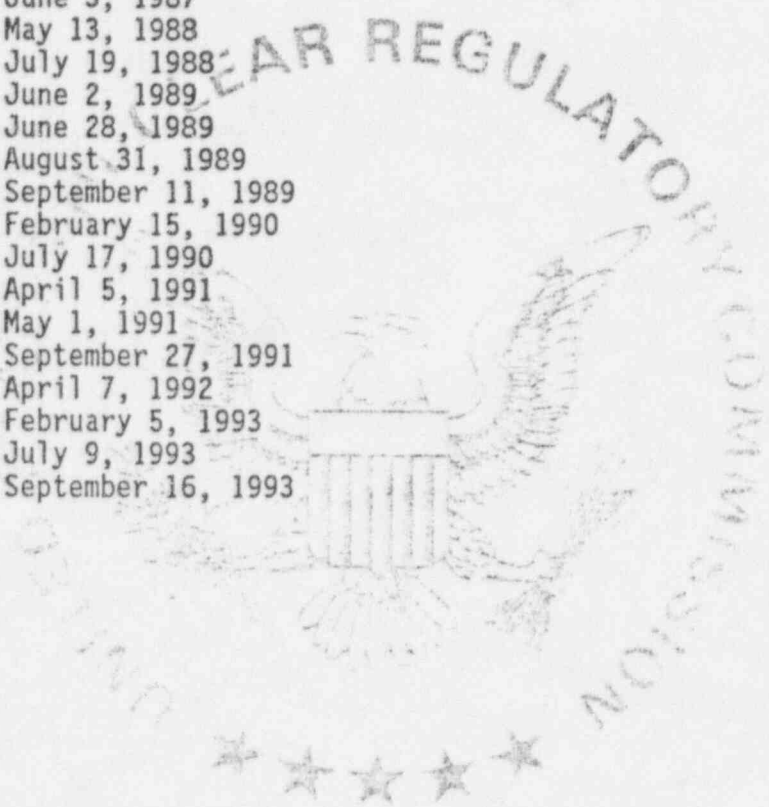
License number
17-01322-07

Docket or Reference number
030-15040

Amendment No. 19

14. This license is based on the licensee's statements and representations as follows:

A. Letter dated February 22, 1984
B. Letter dated August 6, 1985
C. Letter dated August 30, 1985
D. Letter dated September 16, 1985
E. Letter dated June 3, 1987
F. Letter dated May 13, 1988
G. Letter dated July 19, 1988
H. Letter dated June 2, 1989
I. Letter dated June 28, 1989
J. Letter dated August 31, 1989
K. Letter dated September 11, 1989
L. Letter dated February 15, 1990
M. Letter dated July 17, 1990
N. Letter dated April 5, 1991
O. Letter dated May 1, 1991
P. Letter dated September 27, 1991
Q. Letter dated April 7, 1992
R. Letter dated February 5, 1993
S. Letter dated July 9, 1993
T. Letter dated September 16, 1993



FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date SEP 23 1993

By Original Signed By
Jacqueline D. Burks

Nuclear Materials Licensing Section
Region IV
Arlington, Texas 76011

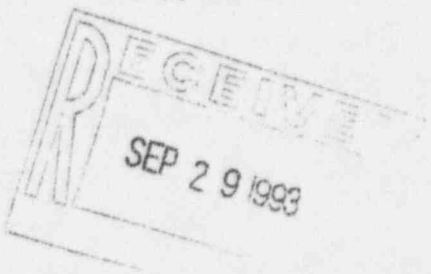
Medical Center

1055 Clermont Street
Denver CO 80220

Department of
Veterans Affairs

SEP 2 9 1993

In Reply Refer to:



Ms. Vivian Campbell
U.S. Nuclear Regulatory Commission
Region IV - Nuclear Materials Licensing Section
611 Ryan Plaza Drive, Suite 400
Arlington, Texas 76011-8064

RE: License No. 05-01401-02, Docket No. 030-01234

Dear Ms. Campbell:

We have been informed by the Department of Veterans Affairs Central Office that Hybrid Broad Scope licenses are supposed to be charged at the same rate as Specific licenses. It is our understanding that this is the type of license that we already have, as condition 20 of the most recent amendment, #46, states "Licensed materials identified in 6.G. shall not be used in or on human beings." We have, since the inception of the annual fees, been charged at the higher Broad Scope license rate. This year the Broad Scope annual fees were $28,020, while the Specific License annual fees were $5,220, including surcharges.

We have been advised by our Central Office that our license must explicitly state "Hybrid Broad Scope" to qualify for the Specific license rate. This does not seem either fair or reasonable. We have the type of license that qualifies for the lower rate and see no reason why the lack of an explicit statement should exclude us from that rate. Please provide information on whether we may apply for a refund of the fees for fiscal year 1993 which we recently paid.

We request that our license be amended at this time to explicitly state that it is a "Hybrid Broad Scope" license. This will in no way affect our operations, as we already have the Hybrid Broad Scope license and are not allowed by its conditions to do human use research. Should we wish to participate in a human use research program, we will submit a request for an amendment with protocol information and a designated authorized user to supervise the program, for your review and approval.

Please note for your records that effective October 17, 1993, our Medical Center Director will be Thomas A. Trujillo. If there are questions concerning this request for amendment of our license, please contact our Radiation Safety Officer, Peter Vernig, at (303) 399-8020, extension 2447.

Sincerely,

George Marnell
Acting Medical Center Director

464954

Medical Center

500 Foothill Blvd.
Salt Lake City UT 84148

Department of
Veterans Affairs

September 27, 1993

In Reply Refer to: 660/00

U. S. Nuclear Regulatory Commission
Region IV
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011-8064

SEP 29 1993

Subject: Amendment to change license type

Reference: License No. 43-03299-01

We are writing to request a change in the type of byproduct materials license issued to the Salt Lake City DVA Medical Center. This facility is presently licensed as a Broad Scope program, and we wish to convert the program to the Hybrid Broad Scope category.

The facility does not conduct basic research in humans using radioactive materials, and there is no developmental radiopharmaceutical research involving humans. The radiation safety program conducted by the Radiation Safety Officer will continue as described in the application for the present license. The Radiation Safety Committee will continue to review and approve uses and users of radionuclides, monitor radiation safety and prescribe changes as needed to assure effectiveness. Clinical services perform diagnostic and therapeutic procedures as authorized in the license and 10 CFR Part 35 and additionally may participate in Investigational New Drugs (INDs) under the regulations in 10 CFR Part 35.

Your consideration of this request is appreciated. If there are questions concerning this request for amendment of our license, please contact our Radiation Safety Officer, R. J. Hoffman, (801) 584-1266.

Sincerely,

W.L. Hodson
Medical Center Director

4 4 9 5 5

DEPARTMENT OF VETERANS AFFAIRS
Medical Center
4101 Woolworth Avenue
Omaha NE 68105

September 23, 1993

In Reply Refer To:

RECEIVED
SEP 23 1993

U.S. Nuclear Regulatory Commission
Region IV
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011-8064

Subject: Amendment to change license type

Reference: License No. 26-00138-10

We are writing to request a change in the type of byproduct materials license issued to the Omaha DVA Medical Center. This facility is presently licensed as a Broad Scope program and we wish to convert the program to the Hybrid Broad Scope category.

This facility does not conduct basic research in humans using radioactive materials and there is no developmental radiopharmaceutical research involving humans. The radiation safety program conducted by the Radiation Safety Officer will continue as described in the application for the present license. The Radiation Safety Committee will continue to review and approve uses and users of radionuclides, monitor radiation safety and prescribe changes as needed to assure effectiveness. Clinical services perform diagnostic and therapeutic procedures as authorized in the license and 10 CFR Part 35 and additionally may participate in investigational New Drugs (INDs) under the regulations in 10 CFR Part 35.

Your consideration of this request is appreciated. If there are questions concerning this request for amendment of our license, please contact our Radiation Safety Officer, Alan J. Blotcky, (402) 346-8800, Ext. 3002.

Sincerely,

JOHN J. PHILLIPS
Director

John L. McClellan
Memorial Veterans' Hospital
4300 West 7th Street
Little Rock AR 72205

Veterans Administration

September 24, 1993

In Reply Refer To: 598/115

Jack E. Whitten, Senior Health Physicist
U. S. Nuclear Regulatory Commission
Region IV
611 Ryan Plaza Drive, Suite 400
Arlington TX 76011-8064

RECEIVED
SEP 27 1993

Subject: Amendment to change license type

Reference: License No.: 03-01082-01

Dear Mr. Whitten:

We are writing to request a change in the type of byproduct materials license issued to our facility. This facility is presently licensed as a Type A Broad Scope program and we wish to convert the program to a Hybrid Broad Scope category.

We conduct only infrequent basic human research procedures in humans, other than Investigational New Drug Studies. In the event that a human research project is planned, involving other than a routine clinical use or an Investigational New Drug, we will submit a specific amendment request. We confirm that all human research will be forwarded to the Institutional Review Board and/or University of Arkansas for Medical Sciences FDA approved RDRC for approval.

The radiation safety program conducted by the Radiation Safety Officer will continue as described in the application for the present license. The Radiation Safety Committee will continue to review and approve uses and users of radionuclides, monitor radiation safety and prescribe changes as needed to assure effectiveness.

Your consideration of this request is appreciated. If there are questions concerning this request for amendment of our license, please contact Lynn McGuire, Radiation Safety Officer, (501)660-2027.

ROBERT T. PATTON
Medical Center Director

cc: Francis K. Herbig, Deputy Director/Health Physics
Nuclear Medicine (115/St. Louis)

4 6 4 9 4 5

DEPARTMENT OF VETERANS AFFAIRS
Medical Center
4101 Woolworth Avenue
Omaha NE 68105

September 23, 1993

In Reply Refer To:

U.S. Nuclear Regulatory Commission
Region IV
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011-8064

Subject: Amendment to change license type

Reference: License No. 26-00138-10

We are writing to request a change in the type of byproduct materials license issued to the Omaha DVA Medical Center. This facility is presently licensed as a Broad Scope program and we wish to convert the program to the Hybrid Broad Scope category.

This facility does not conduct basic research in humans using radioactive materials and there is no developmental radiopharmaceutical research involving humans. The radiation safety program conducted by the Radiation Safety Officer will continue as described in the application for the present license. The Radiation Safety Committee will continue to review and approve uses and users of radionuclides, monitor radiation safety and prescribe changes as needed to assure effectiveness. Clinical services perform diagnostic and therapeutic procedures as authorized in the license and 10 CFR Part 35 and additionally may participate in investigational New Drugs (INDs) under the regulations in 10 CFR Part 35.

Your consideration of this request is appreciated. If there are questions concerning this request for amendment of our license, please contact our Radiation Safety Officer, Alan J. Blotcky, (402) 346-8800, Ext. 3002.

Sincerely,

JOHN J. PHILLIPS
Director

RECEIVED
SEP 23 1993