

MATERIALS LICENSE

Amendment No. 05

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.

Licensee		In accordance with letter dated October 10, 1996	
1. NAHC of Missouri, Inc., d/b/a Doctors Hospital		3. License Number 24-24859-01 is amended in its entirety as follows:	
2. P.O. Box 711 500 Medical Drive Wentzville, MO 63385		4. Expiration Date April 30, 2002	
		5. Docket or Reference No. 030-29729	
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 (excluding thyroid carcinoma therapy)	C. As needed	
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 (excluding thyroid carcinoma therapy).			

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PDR ADOCK 03029729
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MATERIALS LICENSE
SUPPLEMENTARY SHEET

License Number

24-24859-01

Docket or Reference Number

030-29729

Amendment No. 05

CONDITIONS

10. Location of Use: 500 Medical Drive, Wentzville, MO 63385
11. Radiation Safety Officer: James C. Mulkey, D.O.
12. Authorized Users:
- A. Roland C. Mattison, D.O., for material in 10 CFR 35.100, 35.200 and 35.300 (excluding iodine-131 for thyroid carcinoma).
 - B. David T. Volarich, D.O., for material in 10 CFR 35.100, 35.200 and 35.300 (excluding iodine-131 for thyroid carcinoma).
 - C. John W. Campbell, D.O., for material in 10 CFR 35.100 and 35.200.
 - D. James C. Mulkey, D.O., for material in 10 CFR 35.100 and 35.200.
 - E. Albert N. Sandler, D.O., for material in 10 CFR 35.100 and 35.200.
 - F. Nalini Bidani, M.D., for material in 10 CFR 35.100, 35.200 and 35.300 (excluding iodine-131 for thyroid carcinoma).
 - G. Young Sik Kho, M.D., for material in 10 CFR 35.100, 35.200 and 35.300 (excluding iodine-131 for thyroid carcinoma).
13. Pursuant to Title 10, Chapter 1, Code of Federal Regulations, Part 40, "Domestic Licensing of Source Material," the licensee is authorized to possess, use, transfer, and import up to 999 kilograms of depleted uranium contained as shielding material in the molybdenum-99/technetium-99m generators authorized by this license.
14. This license is based on the licensee's statements and representations listed below:
- A. Application received January 29, 1992; and
 - B. Letter dated October 10, 1996.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date December 27, 1996

By

John R. Matson
Nuclear Materials Licensing Branch, Region III

COPY

BETWEEN:

License Fee Management Branch, ARM
and
Regional Licensing Sections

(FOR LFMS USE)
INFORMATION FROM LTS

R9

Program Code: 02120
Status Code: 0
Fee Category: 7C
Exp. Date: 20020430
Fee Comments: NOT STATE/LOCAL 6/25/
Decom Fin Assur Req'd: N

LICENSE FEE TRANSMITTAL

A. REGION

1. APPLICATION ATTACHED

Applicant/Licensee: NAHC OF MISSOURI INCORPORATED
Received Date: 961015
Docket No: 3029729
Control No.: 301950
License No.: 24-24859-01
Action Type: Amendment

2. FEE ATTACHED

Amount: 0
Check No.: 0

3. COMMENTS

Signed
Date

D. Hersey
10-16-96

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered)

1. Fee Category and Amount: 7C \$440
2. Correct Fee Paid. Application may be processed for:
Amendment ☒
Renewal ☐
License ☐

3. OTHER

Signed
Date

SC
12/4/96

1996 OCT 21 AM 11:42

DEC 09 1996

Log	OCT 9 III
Remitter	
Check No.	20002901
Amount	\$440
Fee Category	7C
Type of Fee	AMD
Date Check Rec'd	12/4/96
Date Completed	
By	SC

LICENSE FEE REQUIREMENTS

LICENSE FEE AND DEBT COLLECTION BRANCH
DIVISION OF ACCOUNTING AND FINANCE
OFFICE OF THE CONTROLLER
U.S. NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555-0001NAHC OF MISSOURI, INC.
D/B/A DOCTORS HOSPITAL
ATTN: FRED N. WOODY
500 MEDICAL DRIVE
P. O. BOX 711
WENTZVILLE, MO 63385-0711

TYPE OF ACTION

- ☐ NEW LICENSE
☐ RENEWAL OF LICENSE
☒ AMENDMENT TO LICENSE

REQUESTED DATE

10-10-96

LICENSE NUMBER

24-24859-01

CONTROL NUMBER

301950

I. APPLICATION FEE DUE

Your request for a licensing action is subject to the fee(s) in the category(ies) noted below in accordance with Section 170.31 of the enclosed Federal Register notice. Payment of the fee is required prior to the issuance of the license, renewal, or amendment.

FEE CATEGORY	APPLICATION	RENEWAL	AMENDMENT
7C	\$	\$	\$ 440.00
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$
	\$	\$	\$

FEE(s) DUE	\$	440.00
PAYMENT RECEIVED	\$	0.00
AMOUNT DUE	\$	440.00

☒ Your request was received without the prescribed application fee.

☐ We received your Check No. _____ in the amount of \$ _____. Payment of the additional fee noted above is required.

☐ Your request will increase the scope of your license program. Therefore, your request is subject to the application fee(s) noted above. Refer to Section 170.31 and Footnote 1(d)(2).

☐ Your license expired prior to the receipt of your application for renewal. Therefore, your request is subject to the application fee(s) noted above. Refer to Section 170.31 and Footnote 1(a).

MAKE PAYMENT OF THE FEE(S) TO THE U.S. NUCLEAR REGULATORY COMMISSION AND MAIL THE PAYMENT TO THE ADDRESS LISTED AT THE TOP OF THIS FORM. IF WE DO NOT RECEIVE A REPLY FROM YOU WITHIN 30 CALENDAR DAYS FROM THE DATE LISTED BELOW, WE SHALL ASSUME THAT YOU DO NOT WISH TO PURSUE YOUR APPLICATION AND WILL VOID THIS ACTION.

SIGNATURE -- LICENSE FEE ANALYST

LFDCB

LFDCB

Distribution:

Pending Fee File

LFARB R/F (2)

DATE

Doctors Hospital

500 Medical Drive • P.O. Box 711 • Wentzville, MO 63385-0711 • 314-327-1000 • Fax 314-327-5413

-CERTIFIED MAIL-

October 10, 1996

Charles F. Gill
U. S. Nuclear Regulatory Commission
Region III
Materials Licensing Section
801 Warrentville Road
Lisle, Illinois 60532

Dear Mr. Gill:

This constitutes notification of transfer of ownership for Doctors Hospital, Wentzville, Missouri (NRC License No. 24-24859-01). This transfer occurred on August 1, 1996 and was effective as of that date. In accordance with NRC Information Notice No. 89-25, Attachment 1, the following information is provided:

1. The new name of the licensed organization is NAHC of Missouri, Inc., d/b/a/ Doctors Hospital.
2. The licensee contact remains Dr. James Mulkey, telephone 314/327-1000.
3. Personnel having control over licensed activities are the following officers of NAHC of Missouri, Inc.: Robert M. Martin, President; Dana C. McLendon, Jr., Vice President/Secretary Treasurer; Craig B. Watson, Vice President; Neil G. McLean, Vice President; and Timothy S. Hill, Vice President. All other personnel responsible for radiation safety or use of licensed material listed under the current license and individual qualifications will remain unchanged.
4. The transferor will not conduct any business for which the license is required.
5. All assets of Doctors Hospital-Wentzville, L.P. were purchased by NAHC of Missouri, Inc. and all assets are controlled by NAHC of Missouri, Inc.
6. There are no planned changes in organization, location, facility, equipment, or operating or emergency procedures.
7. There are no changes in the use, possession, location or storage of the licensed materials.
8. Other than the change of ownership as set forth herein, there are no changes in organization, location, facilities, equipment, procedures, or personnel that would require a license amendment.

301950
RECEIVED

OCT 15 1996

An Affiliate of New American Healthcare Corporation

REGION III

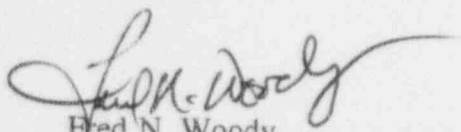
OCT 15 1996

pm: 10-10-96

9. All surveillance items and records including radioactive material inventory and accountability requirements (calibrations, leak tests, and surveys) were current as of the time of transfer. All surveillance items and records remain current.
10. All records concerning the safe and effective decommissioning of the facility, public dose and waste disposal by release to sewers, incineration, radioactive spills, and on-site burials, have been transferred to the new licensee.
11. Studies using licensed material are ongoing at Doctors Hospital. Area surveys including monitoring for contamination are conducted as required. No areas of contamination have been identified.
12. No areas of contamination have been identified. Past activities at Doctors Hospital have been conducted with no cost incurred for decontamination. This is anticipated to continue. Responsibility for any clean-up at the time of transfer will be assumed by NAHC of Missouri, Inc.
13. Transferee agrees to abide by all commitments and representations previously made to NRC by the transferor concerning maintaining decommissioning records, implementing decontamination activities and decommissioning of the site, and corrective action for open inspection items and enforcement actions.
14. Doctors Hospital-Wentzville, L.P. and NAHC of Missouri, Inc. have agreed to the change in ownership and control of the licensed material and activity.
15. NAHC of Missouri, Inc. agrees to abide by all constraints, conditions, requirements, representations and commitments stated in the existing license.

If you have any further questions, please contact Kenny Rogers at 314/327-1000 or Donna J. Torsney, Esq. at 615/251-1075.

Sincerely,


Fred N. Woody
CEO/Hospital Administrator

cc: Dana McLendon, NAHC
Donna Torsney, Esq.

FEB 20 1997

Fred N. Woody, CEO
NAHC of Missouri, Inc., d/b/a
Doctors Hospital
500 Medical Drive
P.O. Box 711
Wentzville, MO 63385

Dear Mr. Woody:

This refers to your amendment request dated October 10, 1996, in which you notified the NRC of the transfer of ownership and control of NRC License No. 24-24859-01, and to the telephone conversation with Craig B. Watson of your staff on November 13, 1996.

As we discussed on November 13, 1996, the change of ownership transaction required an amendment to the existing license. Failure to obtain NRC consent to the change of ownership prior to the change is a violation of 10 CFR 30.34(b) and is addressed in the attached Notice of Violation. The root cause and corrective action for the violation appear to have been addressed by NAHC of Missouri, Inc., therefore, no response to the violation is required. However, we caution you that future violations of this type involving NAHC of Missouri, Inc.'s licensed activities may result in escalated enforcement actions.

Enclosed is Amendment No. 05 to NRC Material License No. 24-24859-01 in accordance with your request. Please review the 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 301-829-9887 so that we can provide appropriate corrections and answers.

As the new license holder, you should note your new responsibility and liability as an NRC licensee. Specifically, responsibility is emphasized concerning any ongoing NRC inspection and enforcement issues, investigations, facility decontamination, and decommissioning funding resources.

Please note that we have deleted License Condition 14 which required that you, as the licensee, maintain records of information important to safe and effective decommissioning until the NRC terminates this license. The condition is deleted because the NRC states the same requirement in the regulations under 10 CFR 30.35(g). We advise you that the NRC still requires that you comply with that requirement.

We have extended your expiration date by five years. Please refer to our letter dated May 7, 1996, which discusses the recent regulatory change that grants a one-time five-year extension for certain licenses.

301950

Please be advised that your license expires at the end of the day, in the month, and year stated in the license. Unless your license has been terminated, you must conduct your program involving byproduct materials in accordance with the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate in accordance with NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers; Inspections," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Notify NRC, in writing, within 30 days:
 - a. When an authorized user or Radiation Safety Officer permanently discontinues performance of duties under the license or has a name change; or
 - b. When the licensee's mailing address changes (no fee is required if the location of byproduct material remains the same).
3. In accordance with 10 CFR 30.36(b) and/or license condition, notify NRC, promptly, in writing, and request termination of the license:
 - a. When you decide to terminate all activities involving materials authorized under the license; or
 - b. If you decide not to complete the facility, acquire equipment, or possess and use authorized material.
4. Request and obtain a license amendment before you:
 - a. Receive or use byproduct material for any use not permitted by your license;
 - b. Permit anyone, except individuals described in the license to work as an authorized user under the license;
 - c. Change Radiation Safety Officers;
 - d. Order byproduct material in excess of the amount, or radionuclide, or form different than authorized on the license;
 - e. Add or change the areas of use or address or addresses of use identified in the license application or on the license; or
 - f. Change ownership of your organization.

5. Submit a complete renewal application with proper fee or termination request at least 30 days before the expiration date of your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of byproduct material after your license expires is a violation of NRC regulations. A license will not normally be renewed, except on a case-by-case basis, in instances where licensed material has never been possessed or used.

In addition, please note that NRC Form 313 requires the applicant, by his/her signature, to verify that the applicant understands that all statements contained in the application are true and correct to the best of the applicant's knowledge. The signatory for the application should be the licensee or certifying official rather than a consultant.

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 Policy and Procedures for NRC Enforcement Actions, 10 CFR Part 2, Appendix C. 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.

Sincerely,

Cynthia D. Pederson, Director
Division of Nuclear Materials Safety

License No.: 24-24859-01
Docket No.: 030-29729

Enclosures: 1. Amendment No. 05
2. Notice of Violation
3. Enforcement Policy NUREG-1600
4. 10 CFR 30

bcc w/encls: PUBLIC IE07

(SEE PREVIOUS CONCURRENCE)

DOCUMENT NAME: M:\03029729.CL7

To receive a copy of this document, indicate in the box: "C" = Copy without enclosures "E" = Copy with enclosures "N" = No copy

OFFICE	DNMS/RIII		DNMS/RIII		DNMS/RIII				
NAME	EMATSON:jaw		BJHOLT		CPEDERSON				
DATE	01/ /97		01/ /97		01/ /97				

OFFICIAL RECORD COPY

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Sincerely,

Cynthia D. Pederson, Director
Division of Nuclear Materials Safety

License No.: 24-24859-01

Docket No.: 030-29729

- Enclosures: 1. Amendment No. 05
2. Notice of Violation
3. Enforcement Policy NUREG-1600
4. 10 CFR 30

bcc w/encs: Public IE07

DOCUMENT NAME: M:\03029729.CL7

To receive a copy of this document, indicate in the box: "C" = Copy without enclosures "E" = Copy with enclosures "N" = No copy

OFFICE	DNMS/RIII	<input checked="" type="checkbox"/>	DNMS/RIII	<input type="checkbox"/>	DNMS/RIII	<input checked="" type="checkbox"/>				
NAME	EMATSON:jaw	<input checked="" type="checkbox"/>	BJHOLT	<input checked="" type="checkbox"/>	CPEDERSON					
DATE	02/13/97		02/17/97		02/18/97					

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

Doctors Hospital
Wentzville, Missouri

License No. 24-24859-01
Docket No. 030-29729

During an NRC review on November 13, 1996, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violation is listed below:

10 CFR 30.34(b) states that no license issued or granted pursuant to the regulations of this part or, Parts 31 through 39, nor any right under a license shall be transferred, assigned or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of any license to any other person, unless the Commission shall, after securing full information, find that the transfer is in accordance with the provisions of the ACT and shall give its consent in writing.

Contrary to the above, on August 1, 1996, Doctors Hospital-Wentzville, L.P., transferred License Number 24-24859-01 to NAHC of Missouri, Inc., and the Commission had not been provided full information about the transfer or given its consent to the transfer in writing prior to August 1, 1996.

This is a Severity Level IV violation (Supplement VI).

The review showed that steps had been taken to correct the identified violation and to prevent recurrence. Consequently, the NRC requires no reply to the violation and we have no further questions regarding this matter.

Dated at Lisle, Illinois
this 20th day of February 1997

CONVERSATION RECORD

TIME

DATE

12/23/76

TYPE

☐ VISIT

☐ CONFERENCE

☒ TELEPHONE

☐ INCOMING

☒ OUTGOING

ROUTING

NAME/SYMBOL INT

Location of Visit/Conference:

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU

ORGANIZATION (Office, dept., bureau, etc.)

TELEPHONE NO.

Patricia Holshank

NMSS

SUBJECT

NOV to Doctors Hospital

SUMMARY

I discussed the 10 CFR 30.34(b) Violation
against Doctors Hospital with Holshank.
She agreed that a SLIV is
appropriate

ACTION REQUIRED

NAME OF PERSON DOCUMENTING CONVERSATION

SIGNATURE

DATE

[Signature]

12/23/76

ACTION TAKEN

SIGNATURE

TITLE

DATE

UNITED STATES NUCLEAR REGULATORY COMMISSION
REGION III
CONVERSATION RECORD

(X) TELEPHONE (X) OUTGOING () INCOMING () CONVERSATION

TIME: 11:00am

DATE: 11/13/96

NAME OF PERSON(S) CONTACTED:

ORGANIZATION:

TELEPHONE NO.:

Craig Watson- V.P. Operations
Lavon Norvell- Administrative Assistant
314-327-5413
Doctors Hospital
License No. 24-24859-01

SUBJECT:

Letter dated October 10, 1996, requested a change of name and a change of ownership.
Control No. 301950.

SUMMARY:

Ms. Norvell was directly involved with preparing the amendment request and working with the Radiology manager. She recalled that the radiology manager found out that the license needed to be amended after the change of ownership had occurred. Apparently, during a discussion with an unknown person, the manager discovered that the NRC needed to be notified. The licensee then called Region III to determine what actions needed to be taken. Charles Gill, a license reviewer, sent the licensee NRC Information Notice No. 89-25. The licensee then prepared and submitted the required information.

Based on the information obtained, it appears that the licensee did not know that the NRC's consent to the ownership change had to be obtained prior to the transfer. Mr. Watson stated that he did not know the requirement. He was upset that the attorneys who handled the ownership transaction failed to advise the hospital of its obligations to the NRC. As corrective action, he stated that the attorneys, upper management, the RSC and RSO will be informed of the NRC requirement and that any future transfers of the license will be performed as required by the NRC.

The cause of the violation appears to be a lack of knowledge of the requirements of 10 CFR 30.34(g). Corrective actions include education of the requirement at all levels of the organization.

ACTION REQUIRED:

As the license reviewer, I will propose that NRC consent to the sale, issue an amendment changing the name and issue a Severity Level IV violation with no reply required.

ACTION TAKEN

NAME OF PERSON DOCUMENTING CONVERSATION

SIGNATURE

DATE

Evelyn R. Matson
630-829-9822

11/13/96





UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351

October 22, 1996

James Mulkey, D.O.
Radiation Safety Officer
NAHC of Missouri Incorporated
d/b/a Doctors Hospital
500 Medical Drive, P. O. Box 711
Wentzville, MO 63385

SUBJECT: ACKNOWLEDGEMENT OF CORRESPONDENCE (Letter Dated 10/10/96)

Dear Licensee:

In response to your request, we have completed the initial processing, which is an administrative review of your application for a(n):

☐ New License ☒ Amendment ☐ Renewal

Administrative deficiencies were identified during this initial review as outlined below. However, it should be noted that a technical review may identify additional omissions in the submitted information.

It appears that your request is routine (see 1-3 below as, applicable).

Incomplete information is as follows: An amendment (with the required fee) is necessary to change the name of your company. Please contact our License Fee & Debt Collection Branch, located in our headquarters office, as referenced below, to obtain the correct fee amount.

1. New and amendment actions are normally processed within 90 days, unless we find major deficiencies, or policy issues requiring central program office assistance.
2. Renewal actions are normally processed within 180 days, however under timely filing (before expiration) you may continue to operate under your existing license.
3. Termination actions are normally processed within 90 days, unless confirmatory surveys following decontamination/decommissioning activities are involved.

A copy of your correspondence has been forwarded to our Licensing Fee and Debt Collection Branch (301/415-6097) for approval of the fee category and amount, if required.

If you have a compelling safety or business-related reason for requesting expedited review, please contact the Materials Licensing Branch at (630) 829-9887. We will try to complete your request as soon as practicable. Any correspondence about this request should reference the control number.

Nuclear Materials Support Branch

Mail Control No. 301950
License No. 24-24859-01