NRC FORM 374
(7-94)

U.S. NUCLEAR REGULATORY COMMISSION

MATERIALS LICENSE

Amendment No. 31

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.

301955

Licensee	
1. Deaconess Hospital	In accordance with letter dated September 18, 1996
2. 311 Straight Street Cincinnati, OH 45219	3. License Number 34-03509-02 is amended in its entirety as follows:
	4. Expiration Date July 31, 2003
	5. Docket or Reference No. 030-08440

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 (not to exceed 1 curie of I-131)
D. Any byproduct material identified in 10 CFR 35.400	D. Any brachytherapy sources identified in 10 CFR 35.400	D. As needed
E. Any byproduct material identified in 10 CFR 35.500	E. Sealed sources identified in 10 CFR 35.500	E. As needed
F. Any byproduct material identified in 10 CFR 31.11	F. Prepackaged Kits	F. 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.

030028

COPY

MATERIALS LICENSE
SUPPLEMENTARY SHEET

License Number 34-03509-02

Docket or Reference Number 030-08440

Amendment No. 31

D. Medical use described in 10 CFR 35.400.

E. Medical use described in 10 CFR 35.500 in devices which have been evaluated and approved for licensing purposes by the U.S. Nuclear Regulatory Commission or an Agreement State.

F. In vitro studies.

CONDITIONS

10. Licensed material shall be used only at the licensee's facilities located at 311 Straight Street, Cincinnati, OH.

11. Radiation Safety Officer: Jay K. Costantini, M.D.

12. Licensed material listed in Item 6 above is only authorized for use by, or under the supervision of, the following individuals for the materials and uses indicated:

Authorized Users	Material and Use
Ralph M. Scott, M.D.	For material in 35.400 and 35.500.
Sunantha Ploysongsang, M.D.	For material in 35.400 and 35.500.
Thomas Michael Marand, M.D.	For material in 35.300 and 35.400.
Kathryn Ann Weichert, M.D.	For material in 35.400.
Sun O. Gim, M.D.	For material in 35.400.
Kenneth N. Hehman, M.D.	For material in 35.100, 35.200, 35.500 and In vitro studies.
William A. Bramlage, M.D.	For material in 35.100, 35.200, 35.500 and In vitro studies.
John A. Botsford, M.D.	For material in 35.100, 35.200, 35.500 and In vitro studies.
Kenneth E. Murdock, M.D.	For material in 35.300, 35.400 and 35.500.
Sudha Mahlingam, M.D.	For material in 35.400 and 35.500.
Wagih Shehata, M.D.	For material in 35.400 and 35.500.
Carl L. Parrott, M.D.	For In vitro studies.

MATERIALS LICENSE
SUPPLEMENTARY SHEET

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Docket or Reference Number 030-08440

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Authorized Users	Material and Use
Paul W. Biddinger, M.D.	For In vitro studies.
Rodney Geier, M.D.	For material in 10 CFR 35.400 and phosphorus-32 as colloidal chromic Phosphate for intracavitary treatment of malignant effusions.
William R. Drew, M.D.	For material in 35.100, 35.200, 35.300, 35.500 and In vitro studies.
Jay Costantini, M.D.	For material in 35.100, 35.200, 35.300, 35.500 and In vitro studies.

13. Licensee shall follow the model procedure for radiation safety during implant therapy described in Appendix Q, Regulatory Guide 0.8, Revision 2.

14. 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, except for minor changes in the medical use radiation safety procedures as provided in 10 CFR 35.31. 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 22, 1993.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date 22 November 1996

By William P. Kruzbold
Nuclear Materials Licensing Branch, Region III

COPY

BETWEEN:

License Fee Management Branch, ARM
and
Regional Licensing Sections

(FOR LFMS USE)
INFORMATION FROM LTS

Program Code: 02120
Status Code: 0
Fee Category: 7C
Exp. Date: 20030731
Fee Comments:
Decom Fin Assur Reqd: N

S7

LICENSE FEE TRANSMITTAL

A. REGION

1. APPLICATION ATTACHED
   Applicant/Licensee: DEACONESS HOSPITAL
   Received Date: 961016
   Docket No: 3008440
   Control No.: 301955
   License No.: 34-03509-02
   Action Type: Amendment

2. FEE ATTACHED
   Amount: 440
   Check No.: 075865

3. COMMENTS

Signed D. Hersey
Date 10-18-96

1996 OCT 21 AM 11:50

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 SC
Date 10/22/96

OCT 28 1996

Log OCT 10 III
Remitter
Check No. 75865
Amount $440
Fee Category 7C
Type of Fee Amendment
Date Check Rec'd 10/21/96
Date Completed 10/22/96
By: SC

dh | DEACONESS HOSPITAL
311 Straight Street Cincinnati, Ohio 45219 (513) 559-2100

September 18, 1996

Deaconess Hospital
311 Straight Street
Cincinnati, Ohio 45219

Attn: Nuclear Materials Licensing Section
U. S. Nuclear Regulatory Commission, Region III
801 Warrenville Road
Lisle, IL 60532-4351

RE: NRC Materials License Number 34-03509-02, Docket Number 030-08440

Dear Sir or Madam:

We are requesting an amendment to the materials license of Deaconess Hospital (license # 34-03509-02) to change the Radiation Safety Officer. Please delete William A. Bramlage, M.D. as Radiation Safety Officer.

The new candidate for Radiation Safety Officer is Jay K. Costantini, M.D. Dr. Costantini is certified by the American Board of Radiology and is currently an authorized user on the above referenced materials license. Enclosed is a copy of ABR certification for Dr. Costantini.

Enclosed please find a check for $440 to cover the cost of processing this amendment request. If you have any questions, please feel free to contact Thank you in advance for your assistance with this request.

Sincerely,

William A Bramlage M.D

William A. Bramlage, M.D
Radiation Safety Officer
Deaconess Hospital

WAB/ldm

Pmi 10-10-96

301955

The American Board of Radiology

Organized through the cooperation of the
American College of Radiology, the American Roentgen Ray Society,
the American Radium Society, the Radiological Society of North America,
the Section on Radiology of the American Medical Association,
the American Society for Therapeutic Radiology and Oncology, the Association of
University Radiologists, and American Association of Physicists in Medicine
Hereby certifies that

Jay K. Costantini, M.D.

Has pursued an accepted course of graduate study
and clinical work, has met certain standards and qualifications and
has passed the examinations conducted under the authority of
The American Board of Radiology
On this seventh day of June, 1995
Thereby demonstrating to the satisfaction of the Board
that he is qualified to practice the specialty of

Diagnostic Radiology

THE AMERICAN BOARD OF RADIOLOGY
INCORPORATED IN THE DISTRICT OF COLUMBIA
1934

AMERICAN BOARD OF MEDICAL SPECIALTICS
1933
EXCELLENCE

Douglas Maynard MD
President

William Juncelle MD
Secretary-Treasurer

M. Paul Capp, M.D.
Executive Director

NOV 2 1 1996

William A. Bramlage, M.D.
Deaconess Hospital
311 Straight Street
Cincinnati, OH 45219

Dear Dr. Bramlage:

Enclosed is Amendment No. 31 to your NRC Material License No. 34-03509-02 in accordance with your request.

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.

Also note, we have removed the license condition requiring decommissioning records because this requirement is in the regulations.

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).

301955

3. In accordance with 10 CFR 30.36(b) and/or license condition, notify NRC, promptly, in writing, and request termination of the license when you decide to terminate all activities involving materials authorized under the license.

4. Request and obtain a license amendment before you:

   a. Receive or use byproduct material for a clinical procedure permitted under Part 35 but not permitted by your license issued pursuant to this Part;

   b. Permit anyone, except individuals described in 10 CFR 35.13(b), 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. 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,

Original Signed By
W. P. Reichhold
Nuclear Materials Licensing Branch

License No.: 34-03509-02
Docket No.: 030-08440

Enclosure: Amendment No. 31

DOCUMENT NAME: M:\03008440.CL6

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

OFFICE	DNMS/RIII											
NAME	WREICHHOLD:jaw											
DATE	11/7/96											

OFFICIAL RECORD COPY

UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351

October 18, 1996

Jay K. Constantini, M.D.
Radiation Safety Officer
Deaconess Hospital
Radiology Department
311 Straight Street
Cincinnati, OH 45219

SUBJECT: ACKNOWLEDGEMENT OF CORRESPONDENCE
(Letter Dated 09/19/96)

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 X Amendment ___ Renewal
___ Termination ___ Auth User (Amendment not required)
___ Other_____

No administrative deficiencies were identified during this initial review. However, it should be noted that a technical review may identify omissions in the submitted information.

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

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. 301955
License No. 34-03509-02