

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number

40-15952-01

Docket or Reference Number

030-10082

Amendment No. 08

Clinical Laboratory of the Black Hills
2805 Fifth Street
P.O. Box 238
Rapid City, South Dakota 57709-0238

In accordance with NRC Form 314 dated January 16, 1997 License No. 40-15952-01 is hereby terminated.

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date MAR 31 1997

By M.C. Hernandez
Christi Hernandez
Nuclear Materials Licensing Branch
Region IV
Arlington, Texas 76011

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UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV

611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

March 31, 1997

Clinical Laboratory of the Black Hills
ATTN: John F. Barlow, M.D.
Radiation Safety Officer
2805 Fifth Street
P.O. Box 238
Rapid City, South Dakota 57709-0238

SUBJECT: TERMINATION OF YOUR NRC RADIOACTIVE MATERIALS LICENSE

By letter dated December 16, 1996, you contacted the U.S. Nuclear Regulatory Commission and indicated that you wished to terminate your NRC radioactive materials license. The NRC staff has reviewed your final survey and NRC Form 314 dated January 16, 1997. Based on its review, the staff has concluded that: 1) all licensable radioactive material has been removed from your facility and 2) residual radioactive material attributable to licensed activities does not exceed current NRC criteria.

Based on these conclusions no further remediation or actions with respect to NRC regulated material is required. Your facility is suitable for unrestricted use and NRC license number 40-15952-01 for your facility at 2805 Fifth Street, Rapid City, South Dakota, is hereby terminated.

If you have questions or require clarification on any of the information stated above, we encourage you to contact us at 817-860-8100.

Sincerely,

A handwritten signature in cursive script, reading "M. C. Hernandez", is written over a horizontal line.

Christi Hernandez, Radiation Specialist
Nuclear Materials Licensing Branch

Docket: 030-10082
License: 40-15952-01
Control: 460287

Enclosures: As stated

MAR 30 1997

DOCUMENT NAME: L:\TERM97\40-15952.01T

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

RIV:NMLB	N						
MCHernandez	MCH.						
03/31/97							

OFFICIAL RECORD COPY

Materials License Termination/Retirement Form

LICENSE #: 40-15952-01

DOCKET #: 030-10082

LICENSEE: Clinical Laboratory of the
Black Hills

EXPIRATION DATE: March 31, 2003
DATE OF CONTACT: December 16, 1997
CONTACTED BY: Leon Lunders, M.T.
TITLE: Technical Supervisor
TELEPHONE: 605-343-2267

ADDRESS: 2805 Fifth Street
P.O. Box 238
Rapid City, South Dakota
57709-0238

LICENSE TERMINATED: March 31, 1997

LICENSE TRANSFERRED:

LICENSE TRANSFERRED TO: NAME:
ADDRESS:

TELEPHONE:

BASIS FOR TERMINATION AND/OR RETIREMENT:

License discontinued use of licensed material September 20, 1996

TERMINATION DOCUMENTATION

1. License termination meets Type I criteria:

Y X N

 Licensee used sealed sources only and the most recent leak test demonstrates that they did not leak while in the licensee's possession

X Licensee used radioactive material with $T_{1/2} \leq 60$ days and it has decayed to less than the activity in 10 CFR Part 20, Appendix C I-125/I-131 only

2. License termination meets type II criteria:

Y N X

 Licensee possessed and used only sealed sources but cannot demonstrate that the sources did not leak while in the licensee's possession

 Licensee possessed unsealed radioactive material with $T_{1/2} \leq 60$ days but the maximum activity authorized under the license has not decayed to less than the quantity specified in 10 CFR Part 20, Appendix C

 Licensee possessed unsealed radioactive material with $T_{1/2} > 60$ days but ≤ 120 days

 Licensee possessed ^{14}C or ^3H but the total activity and use authorized under the license warrants decommissioning under Type II (describe rationale above)

3. License termination meets Type III criteria:

Y _____ N X

_____ Decommissioning qualifies for a categorical exclusion under 10 CFR 51.22(c) and

_____ Licensee will decommission its facility in accordance with the NRC's criteria for unrestricted use

4. License termination meets Type IV criteria:

Y _____ N X

_____ Decommissioning does not qualify for a categorical exclusion under 10 CFR 51.22(c)

_____ Licensee will decommission its facility such that residual radioactive material may remain in excess of NRC's criteria for unrestricted use

5. Termination survey required:

Y _____ N X

_____ Termination survey submitted by licensee

Demonstration of suitability for release provided.

_____ Termination survey satisfies NRC survey requirements

6. Form 314 or equivalent submitted:

Y X N _____

N/A Staff verified disposition of sealed sources or unsealed radioactive material by:
_____ letter from Form 314 recipient
_____ call to Form 314 recipient

7. Licensee transfer records discussed in 10 CFR Parts 30.35,

30.36, 30.51; 40.36, 40.42, 40.61; or 70.25, 70.38, 70.51 Y X N _____

X to USNRC

_____ To individual assuming responsibility for the license, with a copy of the cover letter to NRC

8. NRC closeout inspection required:

Y _____ N X

_____ Closeout inspection performed:

on:

Inspector:

9. Closeout survey performed:

Y _____ N X

on:

by:

Licensing staff
completing form:

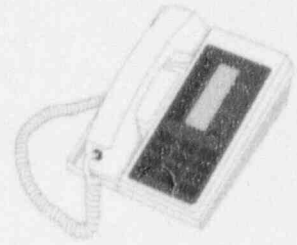
M.C. Hernandez

Branch Chief:

Date: 3-31-97

Date:

TELEPHONE CONVERSATION RECORD



DATE: January 3, 1997

PARTICIPANTS: Leon Lunders

ORGANIZATION: Clinical Laboratory of the
Black Hills

REGION-IV
ARLINGTON, TEXAS

TELEPHONE NUMBER: 605-343-2267 ext. 131

SUBJECT: Letter dated December 18, 1996 requesting termination of license

SUMMARY OF CONVERSATION:

I informed Mr. Lunders that Part 30 had been amended in 1996 regarding decommissioning and termination of licenses. It seems that fees are the driving force behind the December 18 letter. I explained that the only way fees would not be incurred is for the license to be in a "storage only pending termination" status. Then, the licensee would have to decommission and terminate the license within 24 months.

We discussed the timeliness rule and his options. 1) The December 18 letter is considered notification that the laboratory has permanently ceased activities and they have 24 months to decommission the facility and terminate the license. 2) The December 18 letter could be rescinded, in writing, especially if they expected to perform any licensed activities within the next two years.

ACTION REQUIRED: I agreed to send Mr. Lunders a package containing information on decommissioning a facility and terminating an NRC license.

ACTION TAKEN:

Sent on January 6, 1997:

10 CFR Part 30

NRC Form 314

NUREG/CR-5849 ...Radiological Surveys in Support of License Termination

Applicable parts of NMSS Decommissioning Handbook

M. C. Hernandez
SIGNATURE

1/6/97
DATE

(FOR LFMS USE)
INFORMATION FROM LTS

BETWEEN:

License Fee Management Branch, ARM
and
Regional Licensing Sections

Program Code: 02410
Status Code: C
Fee Category: 3P
Exp. Date: 20030331
Fee Comments: IN-VITRO
Decom Fin Assur Regd: N

1997 JAN -7 P. : 18

LICENSE FEE TRANSMITTAL

A. REGION IV

1. APPLICATION ATTACHED

Applicant/Licensee: CLINICAL LAB. OF THE BLACK HILLS
Received Date: 9/2/97
Docket No.: 3010082
Control No.: 466287
License No.: 40-15952-01
Action Type: Termination

2. FEE ATTACHED

Amount: 4
Check No.: 4

3. COMMENTS

Signed
Date

Billie Susszynski
1/6/97

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

1. Fee Category and Amount: 3P

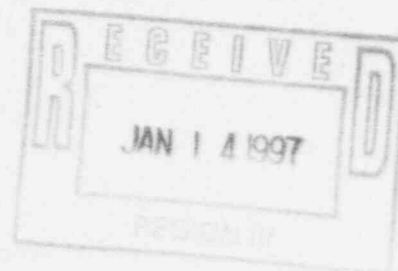
2. Correct Fee Paid. Application may be processed for:

Amendment ✓
Renewal
License

3. OTHER

Signed
Date

Rita Messier
1/7/97



RECEIVED BY LFMS	
Date	<u>1/7/97</u>
By	<u>Jan I IV</u>
Date Completed	<u>1/2/97</u>

10 CFR 30.36(c)(1)(iv)
10 CFR 40.42(c)(1)(iv)
10 CFR 70.38(c)(1)(iv)

JAN 27 1997

CERTIFICATE OF DISPOSITION OF MATERIALS

REGION IV - NMLB

INSTRUCTIONS: ALL ITEMS MUST BE COMPLETED -- PRINT OR TYPE
SEND THE COMPLETED CERTIFICATE TO THE NRC OFFICE SPECIFIED ON THE REVERSE

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS MANDATORY INFORMATION COLLECTION REQUEST: 30 MINUTES. THIS SUBMITTAL IS USED BY NRC AS PART OF THE BASIS FOR ITS DETERMINATION THAT THE FACILITY HAS BEEN CLEARED OF RADIOACTIVE MATERIAL BEFORE THE FACILITY IS RELEASED FOR UNRESTRICTED USE. FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE INFORMATION AND RECORDS MANAGEMENT BRANCH (T-6 133), U.S. NUCLEAR REGULATORY COMMISSION, WASHINGTON, DC 20555-0001, AND TO THE PAPERWORK REDUCTION PROJECT (3150-0028), OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503. AN AGENCY MAY NOT CONDUCT OR SPONSOR, AND A PERSON IS NOT REQUIRED TO RESPOND TO, A COLLECTION OF INFORMATION UNLESS IT DISPLAYS A CURRENTLY VALID OMB CONTROL NUMBER.

LICENSEE NAME AND ADDRESS

Clinical Laboratory of The Black Hills
2805 5th ST.
RAPID CITY, SO. DAK. 57701

LICENSE NUMBER

40-15952-01

LICENSE EXPIRATION DATE

March 31, 1998

A. MATERIALS DATA (Check one and complete as necessary)

THE LICENSEE OR ANY INDIVIDUAL EXECUTING THIS CERTIFICATE ON BEHALF OF THE LICENSEE CERTIFIES THAT:
(Check and/or complete the appropriate item(s) below.)

- ☐ 1. NO MATERIALS HAVE EVER BEEN PROCURED OR POSSESSED BY THE LICENSEE UNDER THIS LICENSE.
- OR
- ☒ 2. ALL ACTIVITIES AUTHORIZED BY THE LICENSE HAVE CEASED AND ALL MATERIALS PROCURED AND/OR POSSESSED BY THE LICENSE NUMBER CITED ABOVE HAVE BEEN DISPOSED OF IN THE FOLLOWING MANNER. (If additional space is needed, use the reverse side or provide attachments.) *All isotope has been disposed of by being used in the process of in vitro testing as authorized by license.*
- Describe specific material transfer actions and, if there were radioactive wastes generated in terminating this license, the disposal actions including the disposition of low-level radioactive waste, mixed waste, Greater-than-Class-C waste, and sealed sources, if applicable.

For transfers, specify the date of the transfer, the name of the license recipient, and the recipient's NRC license number or Agreement State name and license number.

If materials were disposed of directly by the licensee rather than transferred to another licensee, licensed disposal site or waste contractor, describe the specific disposal procedures (e.g., decay in storage)

B. OTHER DATA

- ☒ 1. OUR LICENSE HAS NOT YET EXPIRED; PLEASE TERMINATE IT.
2. A RADIATION SURVEY WAS CONDUCTED BY THE LICENSEE TO CONFIRM THE ABSENCE OF LICENSED RADIOACTIVE MATERIALS AND TO DETERMINE WHETHER ANY CONTAMINATION REMAINS ON THE PREMISES COVERED BY THE LICENSE. (Check one)
- ☐ NO (Attach explanation)
- ☒ YES, THE RESULTS (Check one)
- ☒ ARE ATTACHED, or
- ☐ WERE FORWARDED TO NRC ON (Date)

3. THE PERSON TO BE CONTACTED REGARDING THE INFORMATION PROVIDED ON THIS FORM

NAME

Leon Lunders

TELEPHONE NUMBER
(Include Area Code)

605-343-2267

4. MAIL ALL FUTURE CORRESPONDENCE REGARDING THIS LICENSE TO

Clinical Laboratory of The Black Hills
2805 5th Street
RAPID CITY, SO. DAK. 57701

CERTIFYING OFFICIAL

I CERTIFY UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT

PRINTED NAME AND TITLE

Leon Lunders

SIGNATURE

Leon Lunders

DATE

1-16-97

WARNING: FALSE STATEMENTS IN THIS CERTIFICATE MAY BE SUBJECT TO CIVIL AND/OR CRIMINAL PENALTIES. NRC REGULATIONS REQUIRE THAT SUBMISSIONS TO THE NRC BE COMPLETE AND ACCURATE IN ALL MATERIAL RESPECTS. 18 U.S.C. SECTION 1001 MAKES IT A CRIMINAL OFFENSE TO MAKE A WILLFULLY FALSE STATEMENT OR REPRESENTATION TO ANY DEPARTMENT OR AGENCY OF THE UNITED STATES AS TO ANY MATTER WITHIN ITS JURISDICTIONS.

466287

FILE CERTIFICATES AS FOLLOWS:

IF YOU ARE A DISTRIBUTOR OF EXEMPT PRODUCTS, SEND TO:

DIVISION OF INDUSTRIAL AND MEDICAL NUCLEAR SAFETY
OFFICE OF NUCLEAR MATERIAL SAFETY AND SAFEGUARDS
U.S. NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555-0001

ALL OTHERS, IF YOU ARE LOCATED IN:

CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, MAINE,
MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE, NEW
JERSEY, NEW YORK, PENNSYLVANIA, RHODE ISLAND, OR
VERMONT, SEND APPLICATIONS TO:

LICENSING ASSISTANCE SECTION
NUCLEAR MATERIALS SAFETY BRANCH
U.S. NUCLEAR REGULATORY COMMISSION, REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PA 19406-1415

ALABAMA, FLORIDA, GEORGIA, KENTUCKY, MISSISSIPPI,
NORTH CAROLINA, PUERTO RICO, SOUTH CAROLINA,
TENNESSEE, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA,
SEND APPLICATIONS TO:

NUCLEAR MATERIALS SAFETY SECTION
U.S. NUCLEAR REGULATORY COMMISSION, REGION II
101 MARIETTA STREET NW, SUITE 400
ATLANTA, GA 30323-0198

IF YOU ARE LOCATED IN:

ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI,
OHIO, OR WISCONSIN, SEND APPLICATIONS TO:

MATERIALS LICENSING SECTION
U.S. NUCLEAR REGULATORY COMMISSION, REGION III
801 WARRENVILLE ROAD
LISLE, IL 60532-4351

ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO,
HAWAII, IDAHO, KANSAS, LOUISIANA, MONTANA, NEBRASKA,
NEVADA, NEW MEXICO, NORTH DAKOTA, OKLAHOMA,
OREGON, PACIFIC TRUST TERRITORIES, SOUTH DAKOTA,
TEXAS, UTAH, WASHINGTON, OR WYOMING, SEND
APPLICATIONS TO:

Nuclear Materials Licensing Branch
~~MATERIAL RADIATION PROTECTION SECTION~~
U.S. NUCLEAR REGULATORY COMMISSION, REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TX 76011-8064



CLINICAL LABORATORY

of the Black Hills

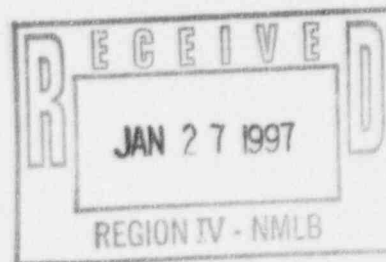
J.F. Barlow, M.D.
D.M. Habbe, M.D.
J.A. Frost, M.D.

D.J. Sullivan, M.D.
V.A. Herr, M.D.
J.T. Schleusener, M.D.

Phone: 605-343-2267 or 1-800-852-4634
2805 Fifth Street, Suite 210, Rapid City, South Dakota 57701

1/16/97

Christi Hernandez
U.S. Nuclear Regulatory Commission
611 Ryan Plaza, Suite 400
Arlington, Texas 76011-8064



Re: License # 40-15952-01

Dear Christi,

Thank you for helping me through this process of decommissioning. I apologize for the delay in performing this process. Because we work with such low level isotope, we tend to not appreciate that there are such regulations to adhere to.

As per CFR 30.35(g), the floor plan of the area used for isotope activity is unchanged from that which you have in your records. Also, there have been no spills or unusual occurrences that could have caused contamination.

The counter top and sink were cleaned and decontaminated using 5% bleach at end of last day of use of isotope (9/20/96). The wipe test is again performed on 1/16/97 with the following results:
note: cpm = 1.28 dpm. This was determined by obtaining a standard of known radioactivity measured in dpm from Diagnostic Products Corp. and measuring the resultant cpm on our gamma counter. We found the sensitivity of our gamma counter was 72%.

Sink = 1 cpm or 1.28 dpm
counter top = 2 cpm or 2.56 dpm
refrigerated storage area = 1 cpm or 1.28 dpm

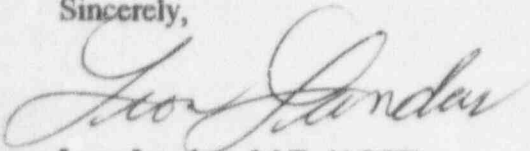
A dosimeter model 3700, serial # NS 3-593 was obtained from Rapid City Regional Hosp., which is the same dosimeter we borrowed when shipments were received, to survey the respective areas. The dosimeter was last calibrated on 10/26/96 with Cs-137 by Midwest Radiation Physicists located in Fargo, No. Dak. The results are:

The background survey readings taken in administrative office yield 0.05 mr/hr. or less.
The survey of the counter top area = 0.04 mr/hr. or less
The survey of the sink and area around sink = 0.04 mr/hr. or less.
The survey of refrigerated storage area = 0.04 mr/hr. or less.

Enclosed is a copy of the calculations used to determine the acceptability of disposal of isotope into the sewer system. I believe this to have been part of our most recent application for renewal of license.

Also enclosed is the completed NRC FORM 314 indicating the method of disposition of isotope as well as the request to terminate our license. Please call me at 605-343-2267 if you have any questions. Again, thank you for all your help.

Sincerely,

A handwritten signature in cursive script, appearing to read "Leon Lunders".

Leon Lunders, M.T. (ASCP)
Technical Supervisor.

CLINICAL LABORATORY OF THE BLACK HILLS

POLICY P-#206

Radioactive Waste Disposal

Page 3

B) RADIOACTIVE WASTE DISPOSAL

I. Liquid waste:

The radioactivity of our various RIA assays varies as well as the number of the assays performed on any given day. The average amount of isotope used per month is 250 microcuries and the average volume of water used by the building is 227,384 liters. These volumes calculate to an average monthly concentration of isotope in our waste stream of 10.9×10^{-6} uci/ml. Because the concentration of I^{125} in our waste stream is significantly below that which is allowed for in appendix B, Table 1, Column 2 Part 20 (4×10^{-5} uci/ml.), we will allow all isotope to be decanted into the sewer system. We will soak all tubes and beads in a 50% bleach solution overnight and then also dispose of this bleach solution into the sewer system. Rinse all tubes and decanting racks well with tap water as the completion step in this process. The sink nearest the RIA Department is designated to be used for this process. After each decant, it will be necessary to run enough water behind the isotope to rinse it into the dilution tank. The flow rate of our water system is 6 liters per minute. A 2-5 minute flush behind each decant should suffice.

This process will negate the need of our storage in decay process. The tubes and beads can be disposed in normal trash following the overnight soak in the 50% bleach solution.

II. Solid Waste:

Tubes, beads and other solid material shall be handled in accordance with the above paragraph. The need to collect these materials for storage in decay is not necessary.

C. AREA MAINTENANCE

I. Daily

The RIA area (sink and bench top) are to be cleaned by using gloves and a dilute (5%) bleach solution

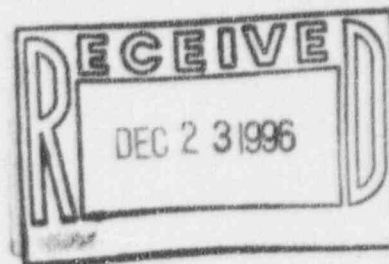
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J.F. Barlow, M.D.
D.M. Habbe, M.D.
J.A. Frost, M.D.

D.J. Sullivan, M.D.
V.A. Herr, M.D.
J.T. Schleusener, M.D.

Phone: 605-343-2267 or 1-800-852-4634
2805 Fifth Street, Suite 210, Rapid City, South Dakota 57701



December 16, 1996

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

To Whom It May Concern:

I am in receipt of the FY 97 annual materials fee invoice covering a period of time from 10/1/96 to 9/30/97. Our license/certificate number is 40-15952-01.

I am writing to inform you that we have discontinued the use of any radioisotope material as of 9/20/96. Should we desire to resume the use of isotopes, we understand that we would need to submit an application for a materials license.

Thank you for your attention to this detail.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Leon Lunders'.

Leon Lunders, M.T. (ASCP)
Technical Supervisor

cc: license fee branch

466287

