

# 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 1, 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.

<p>Licensee</p> <p>1. Department of Veterans Affairs Black Hills Health Care System</p> <p>2. 500 North 5th Street Hot Springs, South Dakota 57745</p>		<p>In accordance with letter dated January 10, 1997</p> <p>3. License number 40-16087-01 is amended in its entirety to read as follows:</p>	
		<p>4. Expiration date January 31, 2003</p>	
		<p>5. Docket or Reference No 030-10348</p>	
<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Any byproduct material identified in 10 CFR 35.100</p> <p>B. Any byproduct material identified in 10 CFR 35.200</p> <p>C. Any byproduct material identified in 10 CFR 35.300</p> <p>D. Americium-241</p>	<p>7. Chemical and/or physical form</p> <p>A. Any radiopharmaceutical identified in 10 CFR 35.100</p> <p>B. Any radiopharmaceutical identified in 10 CFR 35.200</p> <p>C. Any radiopharmaceutical identified in 10 CFR 35.300</p> <p>D. Sealed sources (Amersham Model AMC.24)</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. As needed</p> <p>B. As needed</p> <p>C. 300 millicuries</p> <p>D. 30 millicuries</p>	
<p>9. Authorized use:</p> <p>A. Medical use described in 10 CFR 35.100.</p> <p>B. Medical use described in 10 CFR 35.200.</p> <p>C. Medical use described in 10 CFR 35.300.</p> <p>D. For use in Siemens Gammasonics, Inc., Model SS-10244 anatomical marker and Model 035-42300C dual isotope motion correction device.</p>			

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**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**

License Number

40-16087-01

Docket or Reference Number

030-10348

Amendment No. 15

**CONDITIONS**

10. Locations of use: A. VA Black Hills - Hot Springs, 500 North 5th Street, Hot Springs, South Dakota (except aerosol usage)  
B. VA Black Hills - Fort Meade, 113 Comanche Road, Fort Meade, South Dakota
11. Radiation Safety Officer: Linda Grim, CNMT
12. Authorized Users:
- A. James R. Schuff, M.D., for material identified in 10 CFR 35.100, 35.200, and Americium-241 for use in anatomical marker and dual isotope motion correction device.
- B. Robert E. Polcyn, M.D., for material identified in 10 CFR 35.100, 35.200, 35.300, and Americium-241 for use in anatomical marker and dual isotope motion correction device.
- C. Richard H. Stone, M.D., for material identified in 10 CFR 35.100 and 35.200.
13. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of licensed material to quantities below the minimum limit specified in 10 CFR 30.35(d) for establishing decommissioning financial assurance.
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 October 8, 1991  
B. Letter dated January 10, 1997

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date MAR 25 1997

By

*Jacqueline D. Cook*

Nuclear Materials Licensing Branch  
Region IV  
Arlington, Texas 76011



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION IV

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

March 25, 1997

Department of Veterans Affairs  
Black Hills Health Care System  
ATTN: Linda Grim, CNMT  
Radiation Safety Officer  
500 North 5th Street  
Hot Springs, SD 57747

SUBJECT: LICENSE AMENDMENT

Please find enclosed License No. 40-16087-01. You should review this license carefully and be sure that you understand all conditions. If you have any questions, you may contact the reviewer who signed your license at 817-860-8132.

Because of Part 35 regulations that became effective January 1, 1995, we must now identify a maximum possession limit for 10 CFR 35.300 material. Based on a telephone discussion with Linda Grim, CNMT of your facility, we have limited your total possession of 35.300 material to 300 millicuries. However, if this authorization is not satisfactory, notify us immediately.

NRC expects licensees to conduct their programs with meticulous attention to detail and a high standard of compliance. Because of the serious consequences to employees and the public which can result from failure to comply with NRC requirements, you must conduct your program involving radioactive 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:

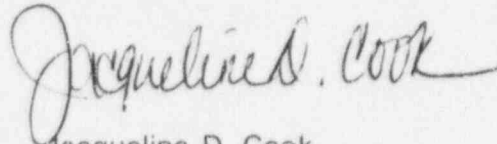
1. Operate in accordance with NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers: Inspection and Investigations," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Possess radioactive material only in the quantity and form indicated in your license.
3. Use radioactive material only for the purpose(s) indicated in your license.
4. Notify NRC in writing of any change in mailing address (no fee required if the location of radioactive material remains the same).

5. Request and obtain written NRC consent before transferring your license or any right thereunder, either voluntarily or involuntarily, directly or indirectly, through transfer of control of your license to any person or entity. A transfer of control of your license includes not only a total change of ownership, but also a change in the controlling interest in your company whether it is a corporation, partnership, or other entity. In addition, appropriate license amendments must be requested and obtained for any other planned changes in your facility or program that are contrary to your license or contrary to representations made in your license application, as well as supplemental correspondence thereto, which are incorporated into your license. A license fee may be charged for the amendments if you are not in a fee-exempt category.
6. Maintain in a single document decommissioning records that have been certified for completeness and accuracy listing all the following items applicable to the license:
  - Onsite areas designated or formerly designated as restricted areas as defined in 10 CFR 20.3(a)(14) or 20.1003.
  - Onsite areas, other than restricted areas, where radioactive materials in quantities greater than amounts listed in Appendix C to 10 CFR 20.1001-20.2401 have been used, possessed, or stored.
  - Onsite areas, other than restricted areas, where spills or other unusual occurrences involving the spread of contamination in and around the facility, equipment, or site have occurred that required reporting pursuant to 10 CFR 30.50(b)(1) or (b)(4), including areas where subsequent cleanup procedures have removed the contamination.
  - Specific locations and radionuclide contents of previous and current burial areas within the site, excluding radioactive material with half-lives of 10 days or less, depleted uranium used only for shielding or as penetrators in unused munitions, or sealed sources authorized for use at temporary job sites.
  - Location and description of all contaminated equipment involved in licensed operations that is to remain onsite after license termination.
7. Submit a complete renewal application with proper fee, or termination request at least 30 days before the expiration date on your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of radioactive material after your license expires is a violation of NRC regulations.
8. Request termination of your license if you plan to permanently discontinue activities involving radioactive material.

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; imposition of a civil penalty; or an order suspending, modifying, or revoking your license as specified in the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), 60 FR 34381, June 30, 1995.

Thank you for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Jacqueline D. Cook". The signature is written in dark ink and is positioned above the printed name and title.

Jacqueline D. Cook  
Health Physicist  
Nuclear Materials Licensing Branch

Docket: 030-10348  
License: 40-16087-01  
Control: 466310

Enclosures: As stated



MAR 25 1997

Department of Veterans Affairs  
Black Hills Health Care System

-4-

DOCUMENT NAME: P:\MLCOVER\LETTER\VABHHS.MLC

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

RIV:NMLB	N						
JDCook <i>JDCook</i>							
03/25/97							

OFFICIAL RECORD COPY

3-25-97 mb#16 T9

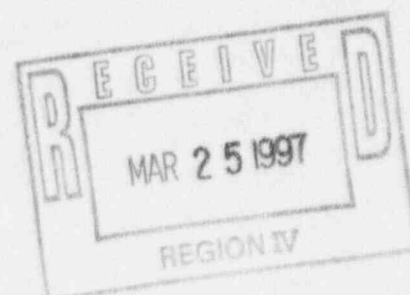
Jackie Cook,

I am sending attachment B, Hot Lab for VABH-Fort Meade with the waste storage area indicated. On the original attachment B it should have shown arrows to the lead shielded cabinets, but the copy blurs out the arrows.

Waste storage is behind the lead lined cabinets, located next to the generator. Out-of-service sealed sources and other radioactive material is also stored in the cabinets.

Thanks for your assistance.

Lynda Gum, CMT, RSO



46630





# CONVERSATION RECORD

TIME (40 min)  
2:07pm

DATE  
3/25/97

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.

Linda Grum

VA-Hot Springs, SD

605-745-2000

SUBJECT

Re: additional information needed for amendment

Spoke w/ Ms. Grum and asked her to resubmit the drawing  
of the H&H lat identifying the radioactive waste area for the  
VA-Fort Meade, SD location.

ACTION REQUIRED

Wait on reply to the above before issuing amendment

NAME OF PERSON DOCUMENTING CONVERSATION

SIGNATURE

DATE

Jacqueline D. Cook

Jacqueline D. Cook

3/25/97

ACTION TAKEN

SIGNATURE

TITLE

DATE



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION IV

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

February 27, 1997

Department of Veterans Affairs  
V. A. Medical Center  
ATTN: Jean O. Linden  
Medical Center Director  
Hot Springs, South Dakota 57747

SUBJECT: ACKNOWLEDGMENT OF REQUEST FOR LICENSING ACTION

REFERENCE: LETTER DATED JANUARY 28, 1997

We have completed the administrative review and initial processing of your application.

During the initial processing, no omissions/deficiencies were identified. Please note that the technical review may identify additional omissions in the submitted information or technical issues that require additional information.

Amendment actions are normally processed within 60 days, unless the technical review identifies:

- Major technical deficiencies
- Decommissioning/decontamination activities are required before an application can be completed
- Confirmatory closeout surveys after decontamination/decommissioning activities are required before a license can be terminated or a facility removed from the license
- Policy issues are identified that require input and coordination with other NRC Regional offices, Agreement State offices, or NRC's Office of Nuclear Materials and Safeguards

A copy of your correspondence has been forwarded to our License Fee and Accounts Receivable Branch, Office of the Controller, who will contact you separately if the appropriate license fee has not been submitted for your request, or for billing if your request is subject to full cost recovery.

Any correspondence about this application should reference the Control number listed below.

Sincerely,

Original Signed By  
Billie Gruszynski

Billie Gruszynski (Ms.)  
Nuclear Materials Licensing Branch

License: 40-16087-01  
Docket: 030-10348  
Control: 466310

FEB 27 1997

Department of Veterans Affairs

-3-

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	RIV:NMLB	N						
NAME	BGruszynski	<i>Boy</i>						
DATE	2/27/97							

# Acceptance Review Check List



## Action Type:

- ☐ New  
☒ Amendment  
☐ Renewal

Mail Control

No. 466310

Initials of  
Individual  
completing  
Form

Date: 2/27/97

## Administrative

### Exclusion Items

#### Requiring Return to Applicant:

- ☐ Current Guidance Not Used  
☐ References in Application Not to Current Regulations  
☐ All Attachments Referenced Are Not Included  
☐ Signature Not on Application

#### Technical Exclusion Items Requiring Technical Reviewer Time Estimates:

- ☐ Request for Expedited Handling for Radiation Safety/Business Concerns  
☐ Request for Exemption to Specific Regulation(s)  
☐ Change in Ownership Concerns  
☐ Financial Assurance/DFP Required  
☐ Decommissioning Plan Review  
☐ Quality Management Plan  
☐ Termination of License Requiring NRC Closeout Survey  
☐ Bankruptcy Notification  
☐ Approval of Long Term Storage/Alternative Form of Waste Disposal  
☐ Facility Modifications Requiring Shielding Calculations  
☐ Authorization to Possess and Use Large Quantities of Unsealed Materials  
☐ HDR/Gamma Knife  
☐ Major Increase In Authorized Users  
☐ Approval Of Training Program  
☐ Approval of Incineration of Radioactive Waste  
☐ Authorization For Sealed Source or Device Requiring SSD Approval Review  
☐ Environmental Assessment or Impact Statement Required  
☐ Emergency Plan Contingency Plan Required  
☐ Type A Broad Scope/Complex Research & Development Application

Reviewer: \_\_\_\_\_

#### Estimate of Time Needed:

- ☐ 30 Days ☒ 60 Days ☐ 90 Days ☐ Other

#### Comments:

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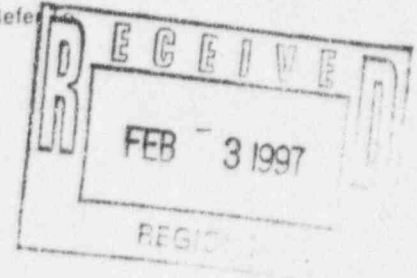


DEPARTMENT OF VETERANS AFFAIRS  
Medical Center  
St Louis MO 63125

January 28, 1997

U.S. Nuclear Regulatory Commission  
Region IV  
611 Ryan Plaza Drive, Suite 400  
Arlington, TX 76011-8604

In Reply Refer



SUBJECT: Concurrent termination of NRC License No. 40-27013-01  
Docket No. 030-31424  
and amendment of License No. 40-16087-01  
Docket No. 030-10348

The enclosed correspondence from the Hot Springs, South Dakota VA Medical Center has been received and is forwarded to your office for processing. If there are questions, please contact the facility.

Please provide a copy of any correspondence relative to licensing actions for this Medical Center to:

Department of Veterans Affairs  
Health Physics Programs (115HP)  
915 North Grand Blvd.  
St. Louis, MO 63106

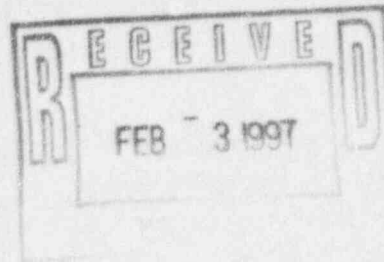
Sincerely,

*Cindy Butowich*

*lv* Francis K. Herbig  
Health Physics Programs

466310

DEPARTMENT OF VETERANS AFFAIRS  
BLACK HILLS HEALTH CARE SYSTEM  
500 N. 5th Street  
Hot Springs, SD 57747



January 10, 1997

U.S. NUCLEAR REGULATORY COMMISSION  
Region IV  
611 Ryan Plaza Drive, Suite 400  
Arlington, Texas 76011-8064

RE: Concurrent termination of License Number: 40-27013-01  
Docket Number: 030-11424  
and amendment of License Number: 40-16087-01  
Docket Number: 030-10348

1. Please be advised that the Department of Veterans Affairs Medical Centers at Hot Springs and Fort Meade, South Dakota have integrated per authorization of VA Central Office. Our integrated facility was renamed to, "Department of Veterans Affairs Black Hills Health Care System," with Hot Springs and Fort Meade sites. For this document we will refer to each site as VA Black Hills- Hot Springs (VABH-HS) or VA Black Hills- Fort Meade (VABH-FM.)

2. As a consequence of this integration, we request approval to concurrently terminate the VABH-FM materials license (#40-27013-01) and amend the VABH-HS materials license #40-16087-01) to add VABH-FM as a place of use. Please refer to the annotated drawing of the VABH-FM use areas, for the areas we wish to designate. (See Attachments A, B, and C.)

a. We request that Richard H. Stone, M.D., be transferred to the VABH-HS license as an authorized user for material identified in 10 CFR 30.100 and 10 CFR 30.200.

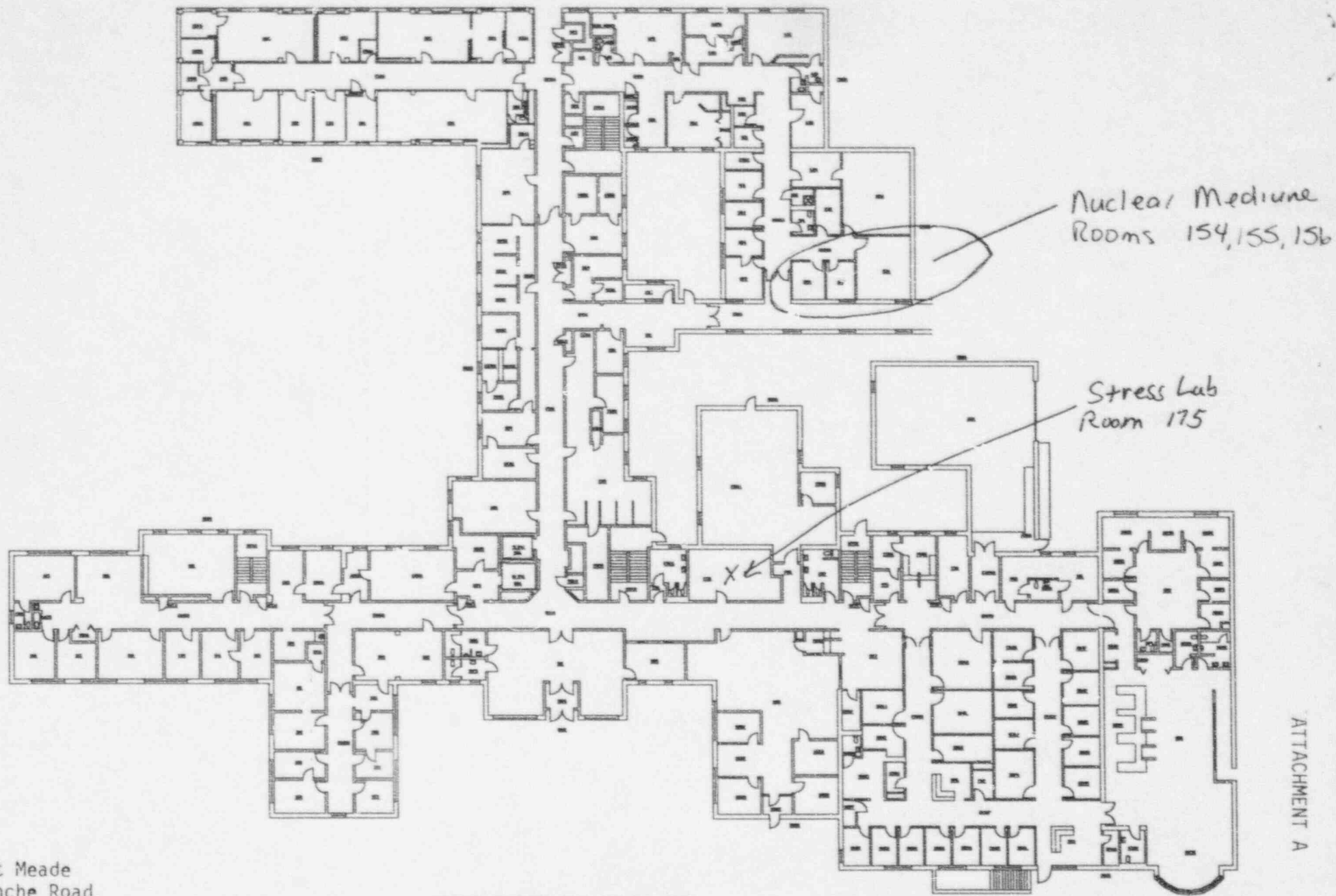
b. We request that the responsibilities of Radiation Safety Officer continue to be charged to Linda Grim, CNMT. She will continue to have her office at VABH-HS with routine on-site audits to VABH-FM. Ms. Grim is available by telephone or can get from one site to the other in about 90 minutes.

c. We request that the VABH-FM license condition regarding aerosol usage be transferred to the VABH-HS license. Aerosol use will only be at the VABH-FM site.

3. The Radiation Safety Committees will be integrated to include representation from both sites and membership per 10 CFR 35.22.

A handwritten signature in dark ink, appearing to read "Peter P. Henry".

Peter P. Henry  
Director Black Hills Health Care System

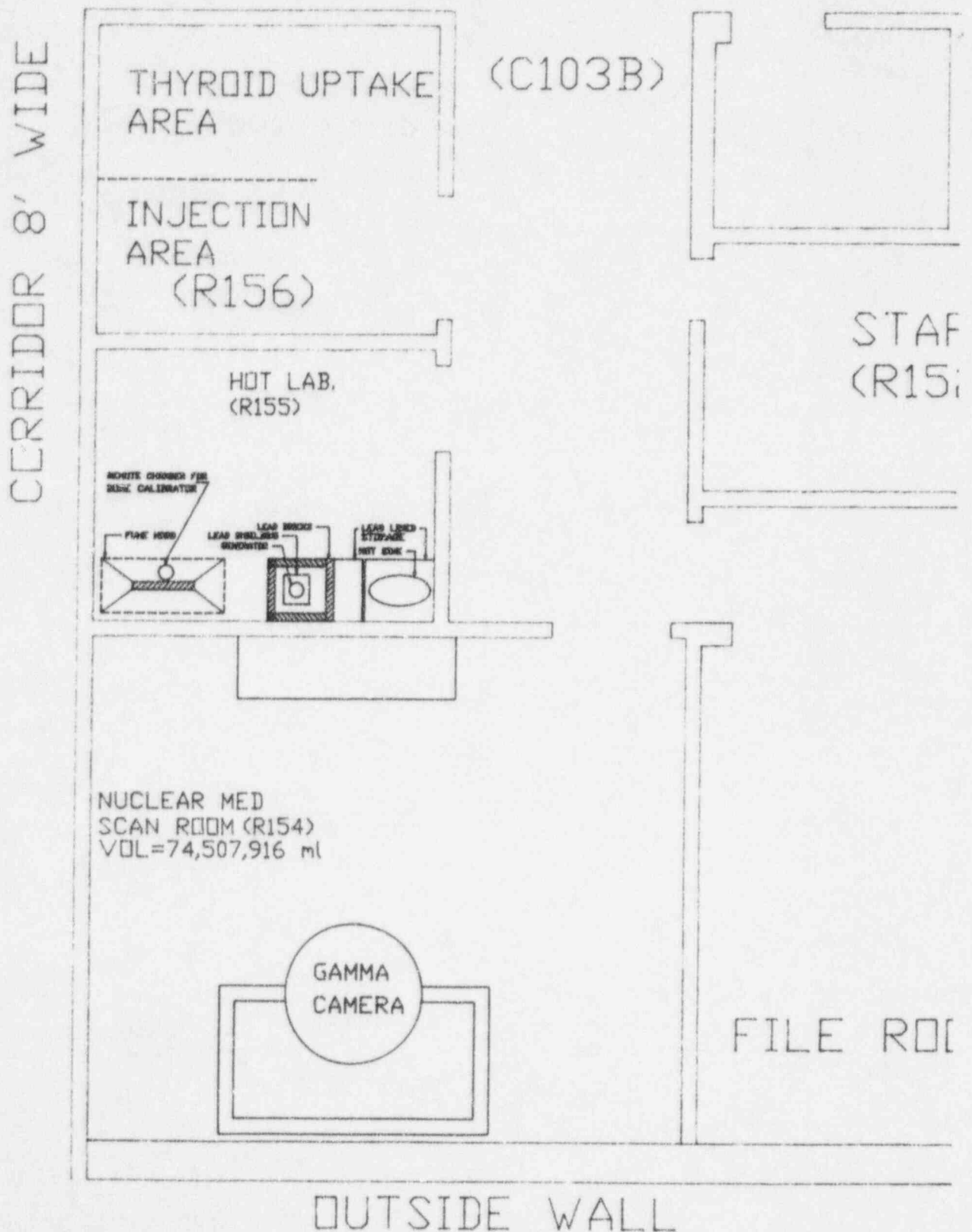


ATTACHMENT A

LABH-Fort Meade  
113 Comanche Road  
Fort Meade, SD 57741

FIRST FLOOR BUILDING #113  
SCALE: 1/16"=1'-0"





VABH- Fort Meade  
Bldg 113



SCALE =  $\frac{1}{5}'' = 1'$

