

OFFICIAL RECORD COPY

## MATERIALS LICENSE

Amendment No. 45

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 the letter dated May 15, 1997	
1. Department of Veterans Affairs Medical Center		3. License number	01-00643-02
2. 700 South 19th Street Birmingham, Alabama 35233		is amended in its entirety to read as follows:	
		4. Expiration date	November 30, 1999
		5. Docket or Reference No	030-01204
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 10 curies of iodine)	
D. Any byproduct material identified in 10 CFR 35.400	D. An brachytherapy source identified in 10 CFR 35.400	D. As needed	
E. Any byproduct material identified in 10 CFR 35.500	E. Any diagnostic sealed source identified in 10 CFR 35.500 and registered pursuant to 10 CFR 32.210 or an equivalent Agreement state regulation	E. As needed	
F. An byproduct material identified in 10 CFR 31.11	F. Prepackaged in vitro diagnostic kits	F. As needed	
G. Cesium 137	G. Sealed source contained in calibrator device registered pursuant to 10 CFR 32.210	G. 6.105 GBq (165 millicuries)	
H. Any byproduct material with atomic numbers 1-84, except for the following (see Condition No. 23)	H. Any (see condition No.23)	H. 1.48 GBq (40 millicuries) per nuclide except as follows:	
(1) Hydrogen 3	(1) Any	(1) 18.5 GBq (500 millicuries)	
(2) Carbon 14	(2) Any	(2) 250 millicuries (9.25 GBq)	

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MATERIALS LICENSE  
SUPPLEMENTARY SHEET

License Number 01-00643-02

Docket or Reference Number 030-01204

Amendment No. 45

## 6.H.(Continued)

(3) Phosphorus 32

(4) Iodine 125

(5) Sulfur 35

## 7.H. (Continued)

(3) Any

(4) Any

(5) Any

## 8.H. (Continued)

(3) 11.1 GBq (300 millicuries)

(4) 4.625 GBq (125 millicuries)

(5) 7.4 GBq (200 millicuries)

## 9. Authorized Use:

A. Medical use identified in 10 CFR 35.100.

B. Medical use identified in 10 CFR 35.200.

C. Medical use identified in 10 CFR 35.300.

D. Medical use identified in 10 CFR 35.400.

E. Medical use identified in 10 CFR 35.500.

F. Clinical in vitro studies.

G. Calibration of radiation detection instruments.

H. Non-medical laboratory research and development as defined in 10 CFR 30.4 (excluding animal studies).

★ ★ ★  
CONDITIONS  
★ ★ ★

10. Licensed material shall be used at the licensee's facilities located at 700 South 19th Street, Birmingham, Alabama.

11. The Radiation Safety Officer (RSO) for this license is Katherine R. Boyd or, in her absence, Johnny W. Scott, M.D., Ph.D., Alternate RSO.

12. A. The use of licensed material in or on humans shall be by a physician, dentist, or podiatrist as defined in 10 CFR 35.2.

B. Physicians, dentists, or podiatrists designated to use licensed material in or on humans shall meet the training criteria established in 10 CFR Part 35 Subpart J and shall be designated by the licensee's Radiation Safety Committee.

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**

License Number 01-00643-02

Docket or Reference Number 030-01204

Amendment No. 45

**CONDITIONS**

Continued -

12. C. Licensed material for other than human use shall be used by or under the supervision of individuals designated by the Radiation Safety Committee. The licensee shall maintain records of individuals designated as users for three years after the individual's last use of licensed material.
13. Sealed sources or detector cells containing licensed material shall not be opened or sources removed from source holders by the licensee.
14. A. Sealed sources and detector cells shall be tested for leakage and/or contamination at intervals not to exceed 6 months or at such other intervals as specified by the certificate of registration referred to in 10 CFR 32.210.
- B. Notwithstanding Paragraph A of this Condition, sealed sources designed to emit alpha particles shall be tested for leakage and/or contamination at intervals not to exceed 3 months.
- C. In the absence of a certificate from a transferor indicating that a leak test has been made within 6 months prior to the transfer, a sealed source or detector cell received from another person shall not be put into use until tested.
- D. Each sealed source fabricated by the licensee shall be inspected and tested for construction defects, leakage, and contamination prior to any use or transfer as a sealed source.
- E. Sealed sources need not be leak tested if:
  - (i) they contain only hydrogen-3; or
  - (ii) they contain only a radioactive gas; or
  - (iii) the half-life of the isotope is 30 days or less; or
  - (iv) they contain not more than 100 microcuries of beta and/or gamma emitting material or not more than 10 microcuries of alpha emitting material; or
  - (v) they are not designed to emit alpha particles, are in storage, and are not being used. However, when they are removed from storage for use or transferred to another person, and have not been tested within the required leak test interval, they shall be tested before use or transfer. No sealed source or detector cell shall be stored for a period of more than 10 years without being tested for leakage and/or contamination.
- F. The leak test shall be capable of detecting the presence of 0.005 microcurie of radioactive material on the test sample. If the test reveals the presence of 0.005 microcurie or more of removable contamination, a report shall be filed with the U.S. Nuclear Regulatory Commission in accordance with 10 CFR 30.50(b)(2), and the source shall be removed immediately from service and decontaminated, repaired, or disposed of in accordance with Commission regulations. The report shall be filed within 5 days of the date the leak test result is known with the U. S. Nuclear Regulatory Commission, Region II, Division of Nuclear Materials Safety, Materials Licensing/Inspection Branch, 61 Forsyth Street SW, Suite 23T85, Atlanta, Georgia 30303-3415. The report shall specify the source involved, the test results, and corrective action taken.

**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**

License Number 01-00643-02

Docket or Reference Number 030-01204

Amendment No. 45

**CONDITIONS**

Continued -

14. G. Tests for leakage and/or contamination shall be performed by the licensee or by other persons specifically licensed by the Commission or an Agreement State to perform such services.
15. A. Detector cells containing a titanium tritide foil or a scandium tritide foil shall only be used in conjunction with a properly operating temperature control mechanism which prevents the foil temperature from exceeding that specified by the manufacturer and approved by NRC.  
B. When in use, detector cells containing a titanium tritide foil or a scandium tritide foil shall be vented to the outside.
16. The licensee shall conduct a physical inventory every 3 months to account for all sources and/or devices received and possessed pursuant to 10 CFR 35.59, 10 CFR 35.400 and 10 CFR 35.500 and every 6 months for all other sources and/or devices.
17. The licensee shall not use licensed material in or on human beings except as otherwise provided by specific condition of this license.
18. Pursuant to 10 CFR 40, "Domestic Licensing of Source Material", the licensee is authorized to possess, use, transfer, and import up to 999 kilogram of depleted uranium as shielding material.
19. In addition to the provisions of 10 CFR 35.92 which authorizes disposal by decay-in-storage of medical waste, the licensee may also hold for decay-in-storage waste generated in non-medical research with a physical half-life of less than 100 days, provided that:
  - A. Radioactive waste to be disposed of in this manner shall be held for decay a minimum of 10 half-lives.
  - B. Before disposal as ordinary trash, byproduct material shall be surveyed at the container surface with the appropriate meter set on its most sensitive scale and with no interposed shielding to determine that its radioactivity cannot be distinguished from background. All radiation labels shall be removed or obliterated.
  - C. A record of each disposal permitted under this license condition shall be retained for three years. The record must include the date of disposal, the date on which the byproduct material was placed in storage, the radionuclides disposed of, the survey instrument used, the background dose rate, the dose rate measured at the surface of each waste container, and the name of the individual who performed the disposal.
20. The licensee shall not acquire licensed material in a sealed source or device that contains a sealed source unless the source or device has been registered with the Nuclear Regulatory Commission under 10 CFR 32.210 or with an Agreement State.
21. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of licensed material to quantities below the limits specified in 10 CFR 30.72 which require consideration of the need for an emergency plan for responding to a release of licensed material.

MATERIALS LICENSE  
SUPPLEMENTARY SHEET

License Number 01-00643-02

Docket or Reference Number 030-01204

Amendment No. 45

## CONDITIONS

Continued -

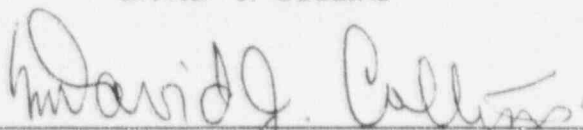
22. In addition to the possession limits in Item 8, the licensee shall further restrict the possession of unsealed licensed material to quantities less than the  $10^{-5}$  times the applicable limits in Appendix B of 10 CFR 30 in accordance with the provisions of 10 CFR 30.35(d).
23. Notwithstanding the provisions of Subitems 6.H, 7.H, and 8.H of this license, the licensee may not possess and/or use any of the following radionuclides in unsealed form: Am-241, Sb-125, Ba-133, Cd-109, Ce-144, Cs-134, Cs-135, Cs-137, Co-60, Eu-152, Eu-154, Eu-155, Gd-153, In-115, I-129, Fe-55, Kr-85, Mn-54, Ni-59, Ni-63, Nb-93m, Pt-193, Pm-147, Rb-87, Ru-106, Sm-151, Ag-110m, Sr-90, Tc-97, Tl-204, Tm-170, Tm-171, W-181, Zn-65 and Zr-93.
24. 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 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 April 2, 1993
- B. Letters dated:
- (1) June 2, 1993 [FAX, revision of possession limits and isotopes]
  - (2) September 10, 1993 [RSO delegation of authority letter and Radiation Safety Committee Charter]
  - (3) November 17, 1994 [Provides additional information in response to NRC letter dated 9/27/94]
  - (4) May 15, 1997 [Request to delete requirement for outside audits, retaining discretion for outside audits]
- C. UNITED STATES NUCLEAR REGULATORY COMMISSION CONFIRMATORY ORDER MODIFYING LICENSE AND DEMAND FOR INFORMATION issued September 13, 1993 is hereby incorporated by reference into this license

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

DAVID J. COLLINS

DATE JUN 03 1997

BY

Region II, Division of Nuclear Materials Safety  
61 Forsyth Street SW, Suite 23T85  
Atlanta, Georgia 30303-3415

N:\MLICENSE\01-00643.A45



BETWEEN:

License Fee Management Branch, ARM  
and  
Regional Licensing Sections

: (FOR LFMS USE)  
: INFORMATION FROM LTS  
: -----  
:  
: Program Code: 03610  
: Status Code: 0  
: Fee Category: EX 7B  
: Exp. Date: 20041130  
: Fee Comments: \_\_\_\_\_  
: Decom Fin Assur Req'd: N  
: ::::::::::::::::::::::::::::::

LICENSE FEE TRANSMITTAL

A. REGION II

1. APPLICATION ATTACHED

Applicant/Licensee: V. A. MEDICAL CENTER  
Received Date: 9/0515  
Docket No.: 3001204  
Control No.: 257495  
License No.: 01-00643-02  
Action Type: Amendment

2. FEE ATTACHED

Amount: \_\_\_\_\_  
Check No.: \_\_\_\_\_

3. COMMENTS

Signed NWitt  
Date 5/28/97

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

1. Fee Category and Amount: \_\_\_\_\_

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

Amendment \_\_\_\_\_  
Renewal \_\_\_\_\_  
License \_\_\_\_\_

3. OTHER \_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_  
Date \_\_\_\_\_

JUN 03 1997

Department of Veterans Affairs  
Medical Center  
ATTN: Mr. Y. C. Parris, Director  
700 South 19th Street  
Birmingham, Alabama 35233

SUBJECT: TRANSMITTAL AND EXPLANATION OF MATERIALS LICENSE  
(REFERENCE: CONTROL NO. 257495; DOCKET NO. 030-01204)

Dear Mr. Parris:

Enclosed is Amendment No. 45 to License No. 01-00643-02, issued in response to your letter dated May 15, 1997. Revisions to your license are printed in **BOLD** typeface. Please review this document carefully and be sure that you understand all of its provisions.

We have accepted your request to delete the requirement for an annual outside audit. The outside audit is referenced in your application dated April 2, 1993, within items 7.1 and 10.4.1. However, as you are aware, there remains the requirement for an annual audit of the Radiation Safety Program at intervals not exceeding 12 months. The Radiation Safety Committee is your tool to accomplish and monitor the performance of the Radiation Safety Program.

If you have questions about this letter or your license, please call me at (404) 562-4635.

Sincerely,

/s/

David J. Collins  
Materials Licensing/Inspection Branch 2  
Division of Nuclear Materials Safety

Enclosure: Amendment No. 45

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

Distribution:  
PUBLIC

OFFICE	RLI DNMS	RLI DNMS				
SIGNATURE	<i>DJ Collins</i>	<i>Potter</i>				
NAME	DJ Collins	Potter				
DATE	06 / 3 / 97	06 / 3 / 97	06 / / 97	06 / / 97	06 / / 97	06 / / 97
COPY?	YES (NO)	YES NO	YES NO	YES NO	YES NO	YES NO

OFFICIAL RECORD COPY

DOCUMENT NAME: G:\DNMS\MLIB2\LICLTR\257495.DJC



DEPARTMENT OF VETERANS AFFAIRS  
Medical Center  
St Louis MO 63125

7 Diane - pl process  
C. Hozey agrees  
that we can relax this  
annual audit now.

In Reply Refer To:

*[Signature]*  
5/16/97

U.S. Nuclear Regulatory Commission  
Region II  
Materials Licensing & Inspection Branch 2  
AFC - 23T128  
61 Forsyth Street  
Atlanta, GA 30303

SUBJECT: NRC License No. 01-00643-02

The enclosed correspondence from the Birmingham, Alabama 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,

*for* *Cindy Butkowsky*  
Francis K. Herbig  
Health Physics Programs

257485

RECEIVED TIMEMAY. 15. 9:51AM

PRINT TIMEMAY. 15. 9:52AM





DEPARTMENT OF VETERANS AFFAIRS  
Medical Center  
700 South 19th Street  
Birmingham AL 35233

MAY 15 1987

In Reply Refer To:

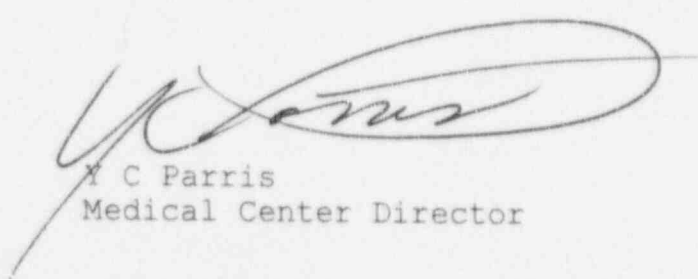
United States Nuclear Regulatory Commission  
Region II  
Atlanta Federal Center Suite 23T85  
Atlanta, Georgia 30303

Dear Sirs:

Item 10.4.1 of our broadscope license (NRC License number 01-00643-02) requires an outside audit of our program each year. During the last four years, we have had annually at least two if not more outside audits of our program. Neither outside auditors nor your inspectors have cited any problems during these inspections. Due to recent budgetary constraints, it is getting more difficult to fund these outside audits. Therefore, we would like to request that this requirement be removed from our license. Our Radiation Safety Committee has proven to be very reliable in monitoring our radiation program and we would like the outside audit to be at our discretion, rather than a requirement.

Please contact our Radiation Safety Officer, Katherine Boyd, if you have any questions. She may be reached at 205/933-8101, extension 6610 or 6114.

Sincerely yours,



Y C Parris  
Medical Center Director



DEPARTMENT OF VETERANS AFFAIRS  
Medical Center  
700 South 19th Street  
Birmingham AL 35233

MAY 15 1997

In Reply Refer To:

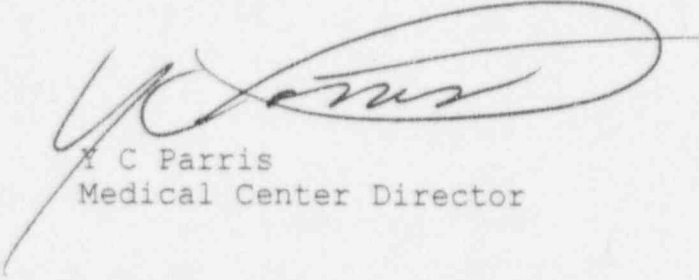
United States Nuclear Regulatory Commission  
Region II  
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Atlanta, Georgia 30303

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Medical Center Director

257495



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Medical Center  
700 South 19th Street  
Birmingham AL 35233

MAY 15 1967

In Reply Refer To:

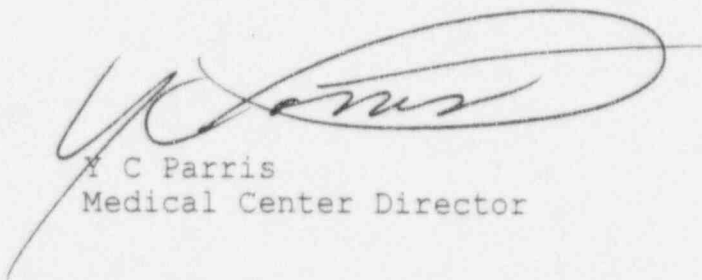
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Atlanta Federal Center Suite 23T85  
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Sincerely yours,



Y C Parris  
Medical Center Director



DEPARTMENT OF VETERANS AFFAIRS

Medical Center  
700 South 19th Street  
Birmingham AL 35233

MAY 15 1997

In Reply Refer To:

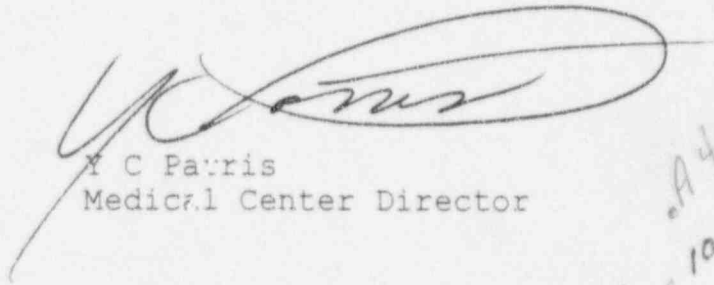
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Region II  
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Y. C. Parris  
Medical Center Director

Item 10.4.1 of  
License application  
dated April 2, 1993  
outside audits

257495