



April 13, 2022

RECEIVED
APR 18 2022

DNMS

Radioactive Material License
NRC 40-32477-01

Nuclear Materials Licensing Branch
U.S. Nuclear Regulatory Commission, Region IV
1600 E Lamar Boulevard
Arlington, TX 76011-4511

Mail Control Number: 630715
Docket Number : 3036404
License Number : 40-32477-01
Licensee Name : DMS Health Technologies

Subject: Change of Radiation Safety Officer under condition 11..

Dear State Regulator:

We, DMS Health Technologies, would like to amend our Radioactive Material License to include the following:

- **Add** Nathan Dykstra, CNMT as the Radiation Safety Officer under condition 11. Supporting documents include, Delegation of Authority and Oklahoma Radioactive Material license listing Nathan Dykstra as the Radiation Safety Officer under condition 11 of OK-31037-01.
- **Remove** Mary Hennings-Frank as the Radiation Safety Officer under condition 11.

If you have any questions regarding this amendment, please feel free to contact Nathan Dykstra at 913-609-1294 or e-mail at nathan.dykstra@dmshealth.com.

Kind Regards,

Mary Hennings-Frank, B.S., CNMT
Corporate Radiation Safety Officer
DMS Imaging, Inc.

Enclosure: Delegation of Authority
Oklahoma Radioactive Material License number OK-31037-01



NRC FORM 313 (01-2020) 10 CFR 30, 32, 33, 34, 35, 36, 37, 39, and 40	 U.S. NUCLEAR REGULATORY COMMISSION APPLICATION FOR MATERIALS LICENSE	APPROVED BY OMB: NO. 3150-0120 Estimated burden per response to comply with this mandatory collection request: 4.3 hours. Submittal of the application is necessary to determine that the applicant is qualified and that adequate procedures exist to protect the public health and safety. Send comments regarding burden estimate to the Information Services Branch (T-6 A10M), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by e-mail to Infocollects.Resource@nrc.gov , and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0120), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.				
INSTRUCTIONS: SEE THE CURRENT VOLUMES OF THE NUREG-1556 TECHNICAL REPORT SERIES ("CONSOLIDATED GUIDANCE ABOUT MATERIALS LICENSES") FOR DETAILED INSTRUCTIONS FOR COMPLETING THIS FORM: http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1556/. SEND TWO COPIES OF THE COMPLETED APPLICATION TO THE NRC OFFICE SPECIFIED BELOW.						
APPLICATION FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH: MATERIALS SAFETY LICENSING BRANCH DIVISION OF MATERIAL SAFETY, STATE, TRIBAL AND RULEMAKING PROGRAMS OFFICE OF NUCLEAR MATERIALS SAFETY AND SAFEGUARDS U.S. NUCLEAR REGULATORY COMMISSION WASHINGTON, DC 20555-0001 ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS: IF YOU ARE LOCATED IN: ALABAMA, CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, FLORIDA, GEORGIA, KENTUCKY, MAINE, MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, NORTH CAROLINA, PENNSYLVANIA, PUERTO RICO, RHODE ISLAND, SOUTH CAROLINA, TENNESSEE, VERMONT, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA, SEND APPLICATIONS TO: LICENSING ASSISTANCE TEAM DIVISION OF NUCLEAR MATERIALS SAFETY U.S. NUCLEAR REGULATORY COMMISSION, REGION I 2100 RENAISSANCE BOULEVARD, SUITE 100 KING OF PRUSSIA, PA 19406-2713	IF YOU ARE LOCATED IN: ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, SEND APPLICATIONS TO: MATERIALS LICENSING BRANCH U.S. NUCLEAR REGULATORY COMMISSION, REGION III 2443 WARRENVILLE ROAD, SUITE 210 LISLE, IL 60532-4352 IF YOU ARE LOCATED IN: ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, HAWAII, IDAHO, KANSAS, LOUISIANA, MISSISSIPPI, 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 U.S. NUCLEAR REGULATORY COMMISSION, REGION IV 1600 E. LAMAR BOULEVARD ARLINGTON, TX 76011-4511					
PERSONS LOCATED IN AGREEMENT STATES SEND APPLICATIONS TO THE U.S. NUCLEAR REGULATORY COMMISSION ONLY IF THEY WISH TO POSSESS AND USE LICENSED MATERIAL IN STATES SUBJECT TO U.S. NUCLEAR REGULATORY COMMISSION JURISDICTIONS.						
1. THIS IS AN APPLICATION FOR (Check appropriate item) <input type="checkbox"/> A. NEW LICENSE <input checked="" type="checkbox"/> B. AMENDMENT TO LICENSE NUMBER <u>40-32477-01</u> <input type="checkbox"/> C. RENEWAL OF LICENSE NUMBER _____	2. NAME AND MAILING ADDRESS OF APPLICANT (Include zip code) Same					
3. ADDRESS WHERE LICENSED MATERIALS WILL BE USED OR POSSESSED Same	4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION Nathan Dykstra, CNMT <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">BUSINESS TELEPHONE NUMBER 800-437-4628</td> <td style="width:50%;">BUSINESS CELLULAR TELEPHONE NUMBER 913-609-1294</td> </tr> <tr> <td colspan="2">BUSINESS E-MAIL ADDRESS nathan.dykstra@dmshealth.com</td> </tr> </table>		BUSINESS TELEPHONE NUMBER 800-437-4628	BUSINESS CELLULAR TELEPHONE NUMBER 913-609-1294	BUSINESS E-MAIL ADDRESS nathan.dykstra@dmshealth.com	
BUSINESS TELEPHONE NUMBER 800-437-4628	BUSINESS CELLULAR TELEPHONE NUMBER 913-609-1294					
BUSINESS E-MAIL ADDRESS nathan.dykstra@dmshealth.com						
SUBMIT ITEMS 5 THROUGH 11 ON 8-1/2 X 11" PAPER. THE TYPE AND SCOPE OF INFORMATION TO BE PROVIDED IS DESCRIBED IN THE LICENSE APPLICATION GUIDE.						
5. RADIOACTIVE MATERIAL a. Element and mass number; b. chemical and/or physical form; and c. maximum amount which will be possessed at any one time.	6. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED.					
8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS.	7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING AND EXPERIENCE: <u>Nathan Dykstra</u>					
10. RADIATION SAFETY PROGRAM.	9. FACILITIES AND EQUIPMENT.					
12. LICENSE FEES (Fees required only for new applications, with few exceptions*) (See 10 CFR 170 and Section 170.31) *Amendments/Renewals that increase the scope of the existing license to a new or higher fee category will require a fee.	11. WASTE MANAGEMENT.					
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:30%;">FEE CATEGORY</td> <td style="width:30%; text-align: center;">NA</td> <td style="width:20%;">AMOUNT ENCLOSED \$</td> <td style="width:20%; text-align: center;">0</td> </tr> </table>			FEE CATEGORY	NA	AMOUNT ENCLOSED \$	0
FEE CATEGORY	NA	AMOUNT ENCLOSED \$	0			
PER THE DEBT COLLECTION IMPROVEMENT ACT OF 1996 (PUBLIC LAW 104-134), YOU ARE REQUIRED TO PROVIDE YOUR TAXPAYER IDENTIFICATION NUMBER. PROVIDE THIS INFORMATION BY COMPLETING NRC FORM 531: https://www.nrc.gov/reading-rm/doc-collections/forms/nrc531info.html.						
13. CERTIFICATION. (Must be completed by applicant) THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BINDING UPON THE APPLICANT. THE APPLICANT AND ANY OFFICIAL EXECUTING THIS CERTIFICATION ON BEHALF OF THE APPLICANT, NAMED IN ITEM 2, CERTIFY THAT THIS APPLICATION IS PREPARED IN CONFORMITY WITH TITLE 10, CODE OF FEDERAL REGULATIONS, PARTS 30, 32, 33, 34, 35, 36, 37, 39, AND 40, AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF. WARNING: 18 U.S.C. SECTION 1001 ACT OF JUNE 25, 1948 62 STAT. 749 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 JURISDICTION.						
CERTIFYING OFFICER -- TYPED/PRINTED NAME AND TITLE Mary Hennings-Frank, Corporate Radiation Safety Officer	SIGNATURE 	DATE 4/12/22				
FOR NRC USE ONLY						
TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS	
			\$			
APPROVED BY				DATE		



Delegation of Authority

As Chief Executive Officer of DMS Health Technologies, I have appointed Nathan Dykstra as the Radiation Safety Officer and he is responsible for ensuring the safe use of radiation. Nathan will be responsible for managing the radiation protection program; identifying radiation protection problems; initiating, recommending, or providing corrective actions; verifying implementation of corrective actions; stopping unsafe activities; and ensuring compliance with the rule.

Nathan is hereby delegated the authority necessary to meet those responsibilities, including prohibiting the use of radioactive material by employees who do not meet the necessary requirements and shutting down operations were justified by radiation safety. Nathan will notify management if staff does not cooperate and do not address radiation safety issues. In addition, he is free to raise issuers with the Department of Health and Human Services at any time.

I also grant Mr. Dykstra the authority to make commitments, amendments, renew license, etc. on behalf of DMS Health Technologies

A handwritten signature in blue ink, appearing to read "Patrick Doyle", written over a horizontal line.

Signature of Management Representative
Patrick Doyle, Chief Executive Officer

April 12, 2022

Date

I accept the above responsibilities,

A handwritten signature in blue ink, appearing to read "Nathan Dykstra", written over a horizontal line.

Nathan Dykstra, CNMT
Director of Compliance and Safety

4/12/2022

Date



OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

MATERIALS LICENSE

Pursuant to the Oklahoma Radiation Management Act (27A O.S. §2-9-101, *et seq.*) and the Oklahoma Radiation Management Rules (Rules) at Oklahoma Administrative Code (OAC) 252:410, including rules incorporated by reference from Title 10 of the Code of Federal Regulations, 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 the source(s) of radiation (byproduct, source and special nuclear material, accelerator produced material, radium sealed sources and/or radiation machines) designated below; to use such source(s) for the purpose(s) and at the place(s) designated below; and to deliver or transfer such material to persons authorized to receive it in accordance with applicable rules. This license is subject to all applicable rules and orders of the Oklahoma Department of Environmental Quality (DEQ) now or hereafter in effect and to any conditions specified below.

<p>Licensee</p> <p>1. DMS Health Technologies, Inc.</p> <p>2. 109 South Petro Ave. Sioux Falls, SD 57107</p>	<p>In accordance with the application dated November 3, 2020</p> <p>3. License number OK-31037-01 is hereby amended in its entirety to read as follows:</p> <p>4. Expiration date April 30, 2025</p> <p>5. DEQ Login No. 245896</p>	
<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Fluorine-18</p>	<p>7. Chemical and/or physical form</p> <p>A. Any</p>	<p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>A. As needed</p>
<p>9. Authorized use:</p> <p>A. Medical use described in OAC 252:410-10-35(a)(4)(C) {10 CFR 35.200}.</p>		

CONDITIONS

10. Licensed material may be used or stored, incident to mobile nuclear medicine activities, at temporary job sites of the licensee in areas not under exclusive Federal jurisdiction throughout Oklahoma.
11. The Radiation Safety Officer (RSO) for this license is Nathan Dykstra.
12. Authorized users:
- A. Marcus M. Brown, M.D. for material identified in 10 CFR 35.200 as adopted by reference in OAC 252:410-10-35.
 - B. Patrick D. Kelly, M.D. for material identified in 10 CFR 35.200 as adopted by reference in OAC 252:410-10-35.
 - C. David R. Miller, M.D. for material identified in 10 CFR 35.200 as adopted by reference in OAC 252:410-10-35.
 - D. Phillip Russell, M.D. for material identified in 10 CFR 35.200 as adopted by reference in OAC 252:410-10-35.
 - E. John D. Walton, D.O. for material identified in 10 CFR 35.200 as adopted by reference in OAC 252:410-10-35.
 - F. Kevin J. Yunt, D.O. for material identified in 10 CFR 35.200 as adopted by reference in OAC 252:410-10-35.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**License Number
OK-31037-01DEQ Login No.
245896Amendment No.
31

13. No more than two patients may occupy the hot lab/injection area at one time, in accordance with the shielding and distance requirements described in the physicist report dated January 5, 2005.
14. 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 OAC 252:410-10-30(3)(E) {10 CFR 30.35(d)} for establishing decommissioning financial assurance.
15. Notwithstanding the provisions of 10 CFR 35.80(b), as adopted by reference in OAC 252: 410-10-35, licensed material may be delivered to DMS Health Technologies coach at client addresses in accordance with procedures outlined in the application.
16. 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 OAC 252:410-10-35(a)(2)(B) {10 CFR 35.26}. The Radiation Management Rules shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the Rules.
- A. Application dated March 9, 2015
 - B. Letter dated October 14, 2015
 - C. Letter dated January 30, 2018
 - D. E-mail date February 9, 2018
 - E. Application dated November 3, 2020

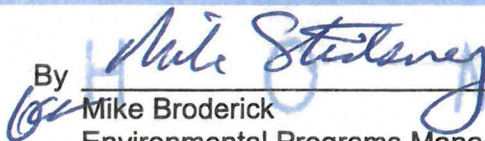
QUALITY

FOR THE DEPARTMENT OF ENVIRONMENTAL

Date

12/1/20

By

Mike Broderick
Environmental Programs Manager
Radiation Management Section
Land Protection Division

RECEIVED APR 14 2022

Insert shipping
document here.

ORIGIN ID: FSDA (605) 366-3358
MARY HENNINGS-FRANK
DMS HEALTH TECHNOLOGIES
109 S. PETRO AVE.

SHIP DATE: 13APR22
ACTWGT: 1.00 LB
CAD: 8142843/INET4460

SIOUX FALLS, SD 57107
UNITED STATES US

BILL SENDER

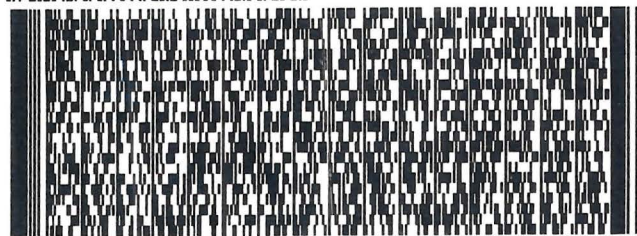
TO **NUCLEAR MATERIALS LICENSING BRANCH**
U.S. NUCLEAR REGULATORY COMMISSION
REGION IV
1600 E LAMAR BOULEVARD
ARLINGTON TX 76011

560J2BDF9FE4A

(913) 609-1294
INV:
PO:

REF: PC07, PC15, PC22, PC28, PC34,

DEPT:



FedEx
Express



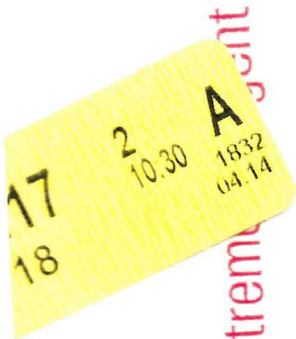
J21122010551w

THU - 14 APR 10:30A
PRIORITY OVERNIGHT

TRK# 7765 7703 1832
0201

XA FWHA

76011
TX-US DFW



ess



ACKNOWLEDGEMENT - RECEIPT OF CORRESPONDENCE

Name and Address of Applicant and/or Licensee

Ms. Mary Hennings-Frank
Corporate Radiation Safety Officer
DMS Health Technologies
109 South Petro Avenue
Sioux Falls, SD 57107

Date

04/20/2022

License Number(s)

40-32477-01

Mail Control Number(s)

630715

Licensing and/or Technical Reviewer or Branch

C. Hill

This is to acknowledge receipt of your: ☒ Letter and/or ☐ Application Dated: 04/13/2022

The initial processing, which included an administrative review, has been performed.

☒ Amendment ☐ Termination ☐ New License ☐ Renewal

☐ There were no administrative omissions identified during our initial review.

☐ This is to acknowledge receipt of your application for renewal of the material(s) license identified above. Your application is deemed timely filed, and accordingly, the license will not expire until final action has been taken by this office.

☐ Your application for a new NRC license did not include your taxpayer identification number. Please complete and submit NRC Form 531, Request for Taxpayer Identification Number, located at the following link: <http://www.nrc.gov/reading-rm/doc-collections/forms/nrc531.pdf>
Follow the instructions on the form for submission.

☐ The following administrative omissions have been identified:

Your application has been assigned the above listed MAIL CONTROL NUMBER. When calling to inquire about this action, please refer to this control number. Your application has been forwarded to a technical reviewer. Please note that the technical review, which is normally completed within 180 days for a renewal application (90 days for all other requests), may identify additional omissions or require additional information. If you have any questions concerning the processing of your application, our contact information is listed below:

Region IV
U. S. Nuclear Regulatory Commission
DNMS/NMSB - B
1600 E. Lamar Boulevard
Arlington, TX 76011-4511
(817) 200-1103 or (817) 200-1140

BETWEEN:

Accounts Receivable/Payable
and
Regional Licensing Branches

[FOR ARPB USE]
INFORMATION FROM WBL

Program Code: 02220
Status Code: Pending Amendment
Fee Category: 7C
Exp. Date: 04/30/2022
Fee Comments:
Decom Fin Assur Req: N

License Fee Worksheet - License Fee Transmittal

A. REGION

1. APPLICATION ATTACHED

Applicant/Licensee: DMS Health Technologies
Received Date: 04/18/2022
Docket Number: 3036404
Mail Control Number: 630715
License Number: 40-32477-01
Action Type: Amendment

2. FEE ATTACHED

Amount: N/A

Check No.: N/A

3. COMMENTS

Signed: Carol L. Hill

Date: 04/19/2022

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: _____

Agency: NRC

WBL WORKSHEET

DOCKET NUMBER: 3036404	LICENSE NUMBER: 40-32477-01	STATUS: Pending Amendment
MAIL CONTROL NUMBER: 630715	RECEIPT DATE: 04/18/2022	ACTION TYPE: Amendment
DUE DATE: 07/17/2022	INST. CODE: 32477	LICENSE REGION: Region 4
LICENSE TYPE: 30	ENTITY TYPE: C	LICENSE GROUP: Medical
ISSUE DATE:	ORIGINAL DATE: 09/10/2003	EXPIRATION DATE: 04/30/2022
DECOMMISSIONING CATEGORY: Group 1	LAST ISSUE DATE:	
LICENSEE NAME: DMS Health Technologies	DECOM FIN ASSUR REQD: N SUBM: N	
MAILING ADDRESS LINE1: 109 South Petro Avenue	CONT PLAN REQD: N	APPRV: N
MAILING ADDRESS LINE 2:		
CITY: Sioux Falls	STATE: SD	ZIP: 57107
CONTACT PERSON: PREFIX: Mr.	FIRST NAME: Matt	MIDDLE INITIAL:
LAST NAME: Molchan	SUFFIX:	
JOB TITLE: President and Chief Executive Officer	PHONE: 701-237-9073	FAX: EMAIL: matt.molchan@dmshealth.com
BILLING ADDRESS LINE 1:		
BILLING ADDRESS LINE 2:		
CITY:	STATE: South Dakota	ZIP:
BILLING CONTACT PERSON: FIRST NAME:	MIDDLE INITIAL:	LAST NAME:
PHONE:	EMAIL:	FAX:
PRIMARY PGM CODE: 02220	SECONDARY PGM CODE:	
INSPECTION REGION: Region 4	PRIORITY: 3	
RSO: PREFIX:	FIRST NAME: Mary	MIDDLE INITIAL: LAST NAME Hennings-Frank
SUFFIX:	RSO JOB TITLE: Corporate Radiation Safety Officer	
RSO PHONE: 605-357-2612	RSO FAX:	RSO EMAIL: mary.hennings-frank@dmshealth.com
STATES WHERE USE IS AUTHORIZED: 3	0- ALL LISTED STATES 1- SAME AS STATE IN ADDRESS 2- ALL STATES 3- NON-AGREEMENT-STATES	
AUTHORIZED STATES (USE ONLY IF ABOVE IS ZERO):		