



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

June 3, 2008

Docket No. 03029484  
Control No. 142381

License No. 47-24864-01

D. Parker Haddix  
Chief Operating Officer  
Davis Memorial Hospital  
P. O. Box 1484  
Elkins, WV 26241-1484

SUBJECT: DAVIS MEMORIAL HOSPITAL, LICENSE AMENDMENT, CONTROL NO.  
142381

Dear Mr. Haddix:

This refers to your license amendment request dated May 1, 2008. Enclosed with this letter is the amended license.

Please review the enclosed document carefully and be sure that you understand and fully implement all the conditions incorporated into the amended license. If there are any errors or questions, please notify the U.S. Nuclear Regulatory Commission, Region I Office, Licensing Assistance Team, (610) 337-5239, so that we can provide appropriate corrections and answers.

An environmental assessment for this action is not required, since this action is categorically excluded under 10 CFR 51.22(c)(14).

Current NRC regulations and guidance are included on the NRC's website at [www.nrc.gov](http://www.nrc.gov); select **Nuclear Materials; Medical, Academic, and Industrial Uses of Nuclear Material; Regulations, Guidance, and Communications**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 7:00 a.m. to 8:00 p.m. EST, Monday through Friday (except Federal holidays).

Thank you for your cooperation.

Sincerely,

***Original signed by Shirley Xu***

Shirley Xu  
Health Physicist  
Medical Branch  
Division of Nuclear Materials Safety

Enclosure:  
Amendment No. 20

cc: Steven Barnett, M.D., Radiation Safety Officer

DOCUMENT NAME: C:\FileNet\ML081560757.wpd

**SUNSI Review Complete: SXu**

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DATE	6/3/08						

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**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 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.

<p style="text-align: center;">Licensee</p> <p>1. Davis Memorial Hospital</p> <p>2. P. O. Box 1484 Elkins, West Virginia 26241-1484</p>	<p>In accordance with the letter dated May 1, 2008,</p> <p>3. License number 47-24864-01 is amended in its entirety to read as follows:</p> <hr/> <p>4. Expiration date: March 31, 2012</p> <hr/> <p>5. Docket No. 030-29484 Reference No.</p>
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<p>6. Byproduct, source, and/or special nuclear material</p> <p>A. Any byproduct material permitted by 10 CFR 35.100</p> <p>B. Any byproduct material permitted by 10 CFR 35.200</p> <p>C. Any byproduct material permitted by 10 CFR 35.300</p> <p>D. Any byproduct material permitted by 10 CFR 35.400</p>	<p>7. Chemical and/or physical form</p> <p>A. Any</p> <p>B. Any</p> <p>C. Any</p> <p>D. Sealed sources (Amersham OncoSeed 6711, EchoSeed 6733; Best Industries 2301; Draximage LS-1; Ibt Intersource 1251L; Implant Science Corp 3500; Mills Biopharmaceuticals Prostaseed SL-125. SH-125; North American Scientific Prospera MED 3631-AM, IsoAid IAI-125A; Nucletron SelectSeed 130.002; SourceTech Medical STM1251 Theragenics IsoSeed BEBIG GmbH)</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. As needed, not to exceed 55.5 gigabecquerels (GBq) (1.5 curies (Ci)) of I-131</p> <p>D. I-125 not to exceed 37 GBq (1 Ci)</p>
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**MATERIALS LICENSE  
SUPPLEMENTARY SHEET**

License Number  
47-24864-01

Docket or Reference Number  
030-29484

Amendment No. 20

9. Authorized use:

- A. Any uptake, dilution and excretion study permitted by 10 CFR 35.100.
- B. Any imaging and localization study permitted by 10 CFR 35.200.
- C. Any diagnostic study or therapy procedure permitted by 10 CFR 35.300.
- D. Any manual brachytherapy procedure permitted by 10 CFR 35.400.

CONDITIONS

- 10. Licensed material may be used or stored only at the licensee's facilities located at Reed Street and Gorman Avenue, Elkins, West Virginia.
- 11. The Radiation Safety Officer for this license is Steven Barnett, M.D.
- 12. Licensed material is only authorized for use by, or under the supervision of:
  - A. Individuals permitted to work as an authorized user in accordance with 10 CFR 35.13 and 35.14.
  - B. The following individuals are authorized users for medical use as indicated:

<u>Authorized Users</u>	<u>Material and Use</u>
Steven Barnett, M.D.	35.100; 35.200
Charles D. Burtner, M.D.	35.100; 35.200; 35.300
Frederick J. Gabriel, M.D.	35.100; 35.200; 35.300
Timothy B. Hetzer, M.D.	35.100; 35.200
Jon LaPlante, M.D.	35.100; 35.200; 35.300
John Leon, M.D.	35.100; 35.200; 35.300
Walter Parke Thrush, M.D.	35.100; 35.200; 35.300
Randall Blackburn, D.O.	35.300; 35.400

- 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. Sealed sources or detector cells containing licensed material shall not be opened or sources removed from source holders by the licensee.

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15. The licensee is authorized to transport licensed material in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
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. This license condition applies only to those procedures that are required to be submitted in accordance with the regulations. Additionally, this license condition does not limit the licensee's ability to make changes to the radiation protection program as provided for in 10 CFR 35.26. 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 August 9, 1991
  - B. Application dated January 31, 1992
  - C. Letter dated September 29, 1993
  - D. Letter dated October 19, 2000 [ML003762635]
  - E. Letter dated May 9, 2001 [ML011410562]
  - F. Application dated October 24, 2001 [ML012990321]
  - G. Application dated January 31, 2002 [ML020860381]
  - H. Letter dated March 11, 2002 [ML020860379]
  - I. Application dated May 1, 2003
  - J. Letter dated May 21, 2003 [ML031420775]
  - K. Letter dated July 22, 2003 [ML032060305]
  - L. Letter dated January 20, 2004 [ML040300627]
  - M. Letter dated April 13, 2004 [ML041260082]
  - N. Letter dated May 26, 2004 (fax)
  - O. Letter dated July 27, 2004 [ML042170103]
  - P. Application dated June 4, 2007 [ML0717003110]

For the U.S. Nuclear Regulatory Commission

**Original signed by Shirley Xu**

Date June 3, 2008

Shirley Xu  
Medical Branch  
Division of Nuclear Materials Safety  
Region I  
King of Prussia, Pennsylvania 19406-1415