

DL-102897_06

October 29, 1997

Hato Rey Community Hospital
Nuclear Medicine Laboratory
ATTN: Mr. Teodoro Muniz, MHA
Executive Director
435 Ponce de Leon Avenue
Hato Rey, PR 00917

SUBJECT: TRANSMITTAL AND EXPLANATION OF AMENDMENT NO. 12 TO LICENSE NO. 52-17704-01 (REFERENCE: CONTROL NO. 257665; DOCKET NO. 030-13199)

Dear Mr. Muniz:

Enclosed is Amendment No. 12 to your NRC material license

Please review the document carefully and be sure that you understand all conditions. If you have any questions or comments, please notify Ms. Diane Heim at (404) 562-4723.

Unless your license has been terminated, you must conduct your program involving byproduct 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 19, "Notice, Instructions and Reports to Workers; Inspections," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations
2. Notify NRC in writing, within 30 days:
 - a. when an authorized user, Radiation Safety Officer, or Teletherapy Physicist permanently discontinues performance of duties under the license or has a name change; or
 - b. when the licensee's mailing address changes (no fee is required if the location of byproduct material remains the same)

In accordance with 10 CFR 30.36(b) and/or license condition, notify NRC promptly, in writing, and request termination of the license:

- a. when you decide to terminate all activities involving materials authorized under the license; or

- b. when you decide to terminate licensed activities in a separate building or outdoor area identified on your license; or
 - c. if you decide not to complete the facilities, acquire equipment, or possess and use authorized material.
4. Request and obtain a license amendment before you:
- a. receive or use byproduct material for a clinical procedure permitted under Part 35 but not permitted by your license issued pursuant to this part.
 - b. permit anyone, not authorized under 10 CFR 35, Subpart J, to work as an authorized user under a license for medical use of byproduct material;
 - c. permit anyone, not authorized under 10 CFR 35, Subpart J, to work as a Radiation Safety Officer, Teletherapy Physicist, or Nuclear Pharmacist, under a license for medical use of byproduct material;
 - d. order byproduct material in excess of the amount, or a different radionuclide or form, other than authorized on the license;
 - e. add or change the areas of use or address (or addresses) of use identified in the license application or on the license; or
 - f. change ownership of your organization.
5. Submit a complete renewal application with proper fee or termination request at least 30 days before the expiration date of your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of byproduct material after your license expires is a violation of NRC regulations. Transfer of licensed materials must be consistent with 10 CFR 30.41, 40.51 or 70.42, as applicable. A license will not normally be renewed, except on a case-by-case basis, in instances where licensed material has never been possessed or used.

In addition, applications for NRC licenses (Form 313) must be signed by the licensee or certifying official (not a consultant). By signature, the signing official certifies his/her understanding that the application is true and correct to the best of the signator's knowledge.

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, or imposition of a Civil Penalty, or an order suspending, modifying or revoking your license as specified in the "General Statement of Policy and Procedures for NRC Enforcement Action," 10 CFR 1600, (7/95). Since serious consequences to employees and the public can result from failure to

Hato Rey Community Hospital

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comply with NRC requirements. prompt and vigorous enforcement action will be taken against those who do not achieve the necessary attention to detail and standard of compliance expected of licensees.

Thank you for your cooperation.

Sincerely,

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

- Enclosures:
1. Amendment No. 12
License No. 52-17704-01
 2. NRC Form 313

OFFICE	RTI:DNRS	RTI:DNRS							
SIGNATURE	<i>DJ Collins</i>	<i>CMoley</i>							
NAME	DJ Collins	CMoley							
DATE	10/28/97	10/29/97	10/ /97	10/ /97	10/ /97	10/ /97	10/ /97	10/ /97	10/ /97
COPY?	YES <input checked="" type="checkbox"/> NO	YES <input checked="" type="checkbox"/> NO	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO

OFFICIAL RECORD COPY

DOCUMENT NAME: G:\NRS11\DNRS\COVLTR\257665.DJC

BETWEEN:

License Fee Management Branch, ARM
and
Regional Licensing Sections

(FOR LIMS USE)
INFORMATION FROM LITS

Program Code: 02120
Status Code: 0
Fee Category: 7C
Exp. Date: 20040131
Fee Comments: CODE 33
Decom Fin Assur Reqd: N

LICENSE FEE TRANSMITTAL

A. REGION II

1. APPLICATION ATTACHED

Applicant/Licensee: HATO REY COMMUNITY HOSPITAL
Received Date: 971007
Docket No.: 3013109
Control No.: 257665
License No.: 52-17704-01
Action Type: Amendment

2. FEE ATTACHED

Amount: 460.00
Check No.: 000162

3. COMMENTS

Signed: DIANE HEIN
Date: 10/8/97

B. LICENSE FEE MANAGEMENT BRANCH (Check when milestone 03 is entered 1/1)

1. Fee Category and Amount: 7C 460.00

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

Amendment
Renewal
License

3. OTHER

Signed: Walter Messia
Date: 10/16/97

FOR	<u>10/16/97</u>
Reporter	<u>DLH</u>
Check No.	<u>162</u>
Amount	<u>460.00</u>
Fee Category	<u>7C</u>
Type of Fee	<u>Renewal</u>
Date Created	<u>10/16/97</u>
Date Completed	<u>10/16/97</u>
By:	<u>Kim</u>

OFFICIAL RECORD OF MATERIALS LICENSE

Amendment No. 12

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.

Licensee	In accordance with letter received October 7, 1997	
1. Hato Rey Community Hospital Nuclear Medicine Laboratory	3. License Number	52-17704-01
2. 435 Ponce de Leon Avenue Hato Rey, Puerto Rico 00917	is amended in its entirety to read as follows:	
	4. Expiration Date	January 31, 2004
	5. Docket or Reference No.	030-13199

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, except radioactive gases	B. As needed
C. Iodine 131	C. Any unsealed form for preparation and administration as specified in §35.300	C. 55.5 gigabecquerels (1.5 curies)
D. Any byproduct material with a half-life less than 120 days, except iodine 131	D. Any form for uses described in §35.300 initially distributed in accordance with a specific license issued to Section 32.72 of 10 CFR Part 32 or a specific license issued to the manufacturer by an Agreement State pursuant to equivalent State regulations.	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 (See Item 9.E.)



Handwritten signature or initials.

**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number

52-17704-01

Docket or Reference Number

030-13199

Amendment No. 12

9. Authorized Use:

- A. Medical use identified in 10 CFR 35.100.
- B. Medical use identified in 10 CFR 35.200.
- C. and D. Medical use identified in 10 CFR 35.300.
- E. Sealed source contained in a compatible device (registered pursuant to 10 CFR 32.210 or an equivalent Agreement State regulation) for medical use identified in 10 CFR 35.500. The licensee may also possess one additional source in its shipping container for use incident to source exchange.

CONDITIONS

- 10. Licensed material shall be used at the licensee's facilities located at Hato Rey Community Hospital, 435 Ponce de Leon Avenue, Hato Rey, Puerto Rico, 00917.
- 11. The Radiation Safety Officer for this license is Irma L. Molina-Vicenty, M.D.
- 12. Licensed material listed in Item 6 above shall be used by, or under the supervision of, the following individuals for the materials and uses indicated:

<u>Authorized User</u>	<u>Material and Use</u>
A. Carlos D. García-Rodríguez, M.D.	Uses described in 10 CFR 35.100, §35.200, §35.300 and §35.500
B. Sandra C. Gracia-López, M.D.	Uses described in 10 CFR 35.100, §35.200, §35.300 and §35.500
C. Irma L. Molina-Vicenty, M.D.	Uses described in 10 CFR 35.100, §35.200, §35.300 and §35.500
- 13. Sealed sources containing licensed material shall not be opened by the licensee.
- 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 10 CFR 30.35 for establishing decommissioning financial assurance.
- 15. The licensee shall maintain records of information important to safe and effective decommissioning at the licensee's facilities listed in Condition 10.A pursuant to the provisions of 10 CFR 30.35(g) until this license is terminated by the Commission.

MATERIALS LICENSE
SUPPLEMENTARY SHEET

License Number	52-17704-01
Docket or Reference Number	030-13199
Amendment No. 12	

CONDITIONS

Continued -

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 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. Letter (with application) dated December 20, 1992

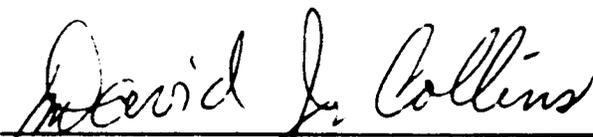
B. Letters (and facsimilies as noted) dated:

1. October 18, 1993 [supplemental information]
2. September 25, 1995 [change RSO and user]
3. April 7, 1997 [add 3 authorized users, change RSO to Dr. Garcia]
4. June 23, 1997 (fax) [delete Dr. Vieras]
5. March 1, 1996 [NRC letter extends expiration date in accordance with 10 CFR 30.36]
6. October 7, 1997 (received) [changes RSO]

FOR THE U.S. NUCLEAR REGULATORY COMMISSION

DAVID J. COLLINS

DATE OCT 29 1997

BY 

N:\MLICENSE\52-17704.A12

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


10/29/97