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CONTACT: Diane Screnci, (610) 337-5330
Neil A. Sheehan, (610) 337-5331

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E-mail: opa1@nrc.gov

NRC PROPOSES \$3,000 FINE FOR YORK, PA., MEDICAL FACILITY

The Nuclear Regulatory Commission staff has proposed a \$3,000 civil penalty for a York, Pa., medical facility for violations involving licensed nuclear material. The violations by York Hospital stem from the transfer of depleted uranium (DU) to a company not licensed to receive such material, as well as the submission of inaccurate information to the NRC regarding that transfer.

An investigation by the NRC's Office of Investigations, completed on January 31, determined that in March 2001 York Hospital transferred a linear accelerator to Linac Systems, Inc., based in Lakewood, N.J. The linear accelerator -- a device that generates high-energy X-rays and electrons for cancer treatment -- contains depleted uranium, which is used for shielding purposes. However, Linac Systems, Inc., did not have an NRC license authorizing the possession of depleted uranium.

"Although this violation did not result in any actual safety consequences, the transfer of the DU material to an unauthorized recipient created the potential for loss, misuse, or inappropriate disposal of the radioactive material," NRC Region I Administrator Hubert J. Miller wrote in a letter to the hospital regarding the enforcement action. The NRC notes that the linear accelerator was transferred by Linac Systems, Inc., to a Texas company after about four months. The Texas firm subsequently sold the device to a medical clinic in Mexico. Both the Texas company and the Mexican clinic had appropriate licenses for possession of depleted uranium.

The second violation by York Hospital involved the submission of inaccurate information to the NRC regarding the transfer of the material. In a license renewal application dated March 1, 2002, the hospital stated that the depleted uranium had been transferred to an authorized recipient.

York Hospital has notified the NRC that it has implemented several corrective actions, including modifications to the facility's policy for the disposal of medical equipment, development of a checklist to ensure that all applicable license requirements are met prior to disposal, and the issuance of reminders to staff of the disposal policy.

The hospital is required to submit a written response to the enforcement action within 30 days.

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