



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

November 23, 2005

Docket No. 03020725

License No. 29-20690-01

Richard Epstein
Vice President of Operations
Ocean Medical Center
425 Jack Martin Boulevard
Brick, NJ 08724

SUBJECT: INSPECTION 03020725/2005001, OCEAN MEDICAL CENTER, BRICK, NEW JERSEY SITE AND NOTICE OF VIOLATION

Dear Mr. Epstein:

On November 8 and 9, 2005, Sandy Gabriel and Shirley Xu of this office conducted a safety inspection at the above address of activities authorized by the above listed NRC license. The inspection was an examination of your licensed activities as they relate to radiation safety and to compliance with the Commission's regulations and the license conditions. The inspection consisted of observations by the inspector, interviews with personnel, and a selected examination of representative records. The findings of the inspection were discussed with your management at the conclusion of the inspection.

Based on the results of this inspection, it appears that your activities were not conducted in full compliance with NRC requirements. A Notice of Violation is enclosed that categorizes each violation by severity level. You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

Current NRC regulations are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, industrial, and academic uses of nuclear material**; then **toolkit index page**. The current Enforcement Policy is included on the NRC's website at www.nrc.gov; select **What We Do, Enforcement**, then **Enforcement Policy**. Or you may obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 9:00 p.m. EST, Monday through Friday (except Federal holidays).

R. Epstein
Ocean Medical Center

2

Your cooperation with us is appreciated.

Sincerely,

Original signed by Pamela J. Henderson

Pamela J. Henderson, Chief
Medical Branch
Division of Nuclear Materials Safety

Enclosure:
Notice of Violation

cc:
Robert Monaco, M.D., Radiation Safety Officer
State of New Jersey

R. Epstein
Ocean Medical Center

3

Distribution:
D. J. Holody, RI

DOCUMENT NAME: E:\Filenet\ML053270275.wpd

SISP Review Complete: SGabriel

After declaring this document "An Official Agency Record" it will be released to the Public.

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/ attach/encl "N" = No copy

OFFICE	DNMS/RI	N	DNMS/RI	DNMS/RI		
NAME	Sxu PJH1		Sgabriel PJH1	PHenderson		
DATE	11/23/05		11/23/05	11/23/305		

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

Ocean Medical Center
Brick, NJ

Docket No. 03020725
License No. 29-20690-01

During an NRC inspection conducted on November 8 and 9, 2005, two violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the violations are listed below:

- A. 10 CFR 35.40(a) requires, in part, that a written directive must be dated and signed by an authorized user before the administration of I-131 sodium iodide greater than 30 microcuries.

Contrary to the above a written directive was not dated and signed by an authorized user before the administration of I-131 sodium iodide greater than 30 microcuries. Specifically, on February 28, 2005, the licensee administered 105.9 millicuries of I-131 sodium iodide without a written directive dated and signed by an authorized user.

This is a Severity Level IV violation (Supplement VI).

- B. 10 CFR 35.633(a) requires, in part, that a licensee authorized to use a remote afterloader unit for medical use perform full calibration measurements on each unit following replacement of the source.

10 CFR 35.644(b) requires, in part, that full calibration measurements include determination of the length of the source transfer tubes, timer accuracy and linearity over the typical range of use, and length of the applicators.

Contrary to the above, as of November 8, 2005, the licensee's full calibration measurements of the remote afterloader unit following replacement of the source did not include determination of the length of the source transfer tubes, timer accuracy and linearity over the typical range of use, and length of the applicators. Specifically, the licensee's full calibration following replacement of the source on September 1, 2005 did not include determination of these measurements.

This is a Severity Level violation (Supplement VI).

Pursuant to the provisions of 10 CFR 2.201, Ocean Medical Center is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, Region I, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for

Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, any response which contests an enforcement action shall be submitted under oath or affirmation.

Your response will be placed in the NRC Public Document Room (PDR) and on the NRC Web site. To the extent possible, it should, therefore, not include any personal privacy, proprietary, or safeguards information so that it can be made publically available without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days.

Dated This 23 day of November 2005