

June 30, 2006

Ms. Brenda DeFeo  
Vice President  
The Bryn Mawr Hospital  
130 South Bryn Mawr Hospital  
Bryn Mawr, PA 19010

RI-2005-A-0024

Subject: NRC Office of Investigations Report 1-2005-009

Dear Ms. DeFeo:

The NRC Region I Office of Investigations (OI) initiated an investigation on March 11, 2005, to determine if a former nuclear medicine technologist (NMT) was discriminated against as a result of raising safety concerns at the Bryn Mawr Hospital (BMH). Specifically, the NMT alleged that he/she was terminated in February 2005 because of raising safety concerns in January 2005, regarding: (1) technetium 99m doses used in lung scans were being boosted by 60-70% to speed up production of the scans, and (2) radioactive material was not being stored or controlled properly at the facility.

Testimonial and documentary evidence show that the NMT's employment was terminated for continued unacceptable performance. The NMT had been placed on a Performance Improvement Plan and it appeared that BMH management exercised patience and wanted the NMT to succeed before the decision was made to terminate the NMT for continued poor performance. OI determined that the NMT did raise one concern about the storage and control of radioactive material, but the evidence suggests that the NMT was close to termination before the concern was raised. OI also reviewed the treatment of one other individual who was terminated by BMH for similar performance causes and determined that the NMT was not given disparate treatment. In conclusion, based on evidence developed during the OI investigation, the NRC did not substantiate that the NMT was discriminated against as a result of raising safety concerns.

Please note that final NRC documents, such as the OI report described above, may be made available to the public under the Freedom of Information Act (FOIA) subject to redaction of information appropriate under the FOIA. Requests under the FOIA should be made in accordance with 10 CFR 9.23, Requests for Records, a copy of which is enclosed for your information.

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Also, in accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room). Should you have any questions regarding this letter, please feel free to contact Ms. Pamela Henderson of my staff at (610) 337-6952.

Sincerely,

***/RA/ Pamela J. Henderson Acting For/***

George Pangburn, Director  
Division of Nuclear Materials Safety

Enclosure: As Stated

Ms. Brenda DeFeo

RI-2005-A-0024

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