



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

April 18, 2007

IA No. 06-313

Lee-Cheng (Jean) Peng
HOME ADDRESS DELETED
UNDER 10 CFR 2.390

SUBJECT: NRC PREDECISIONAL ENFORCEMENT CONFERENCE

Dear Ms. Peng:

This letter refers to the Predecisional Enforcement Conference held with you on February 22, 2007. A copy of the Conference Summary is enclosed.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be made available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm.html> (the Public Electronic Reading Room). However, the NRC will delay making available a copy of this letter until an enforcement decision has been made. At that time, in accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, with your home address removed, will be made available to the Public, if enforcement action is taken.

I expect that the NRC's final decision regarding enforcement will be issued shortly.

Sincerely,

/RA/

Brian E. Holian, Director
Division of Nuclear Materials Safety

Enclosure:
Predecisional Enforcement Conference Summary

April 18, 2007

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Division of Nuclear Materials Safety

Enclosure:
Predecisional Enforcement Conference Summary

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**U.S. NUCLEAR REGULATORY COMMISSION
REGION I**

ENFORCEMENT CONFERENCE SUMMARY

Individual Action No.: 06-313

Individual: Lee-Cheng (Jean) Peng

Conference Date and Time: February 22, 2007 at 10:00 a.m.

Conference Location: NRC Region I, King of Prussia, Pennsylvania

	/RA/	3/29/07
Inspectors:	_____	_____
	Shirley Xu	date
	Health Physicist	
	/RA by P. Henderson Actg For	3/29/07
	_____	_____
	Thomas Thompson	date
	Senior Health Physicist	
	/RA/	3/29/07
Approved By:	_____	_____
	Pamela J. Henderson, Chief	date
	Medical Branch	
	Division of Nuclear Materials Safety	

CONFERENCE SUMMARY

NRC Predecisional Enforcement Conference, Office of Investigations Report No. 1-2006-015

On February 22, 2007, Lee-Cheng (Jean) Peng, Medical Physicist, met with NRC management in the Region I office located in King of Prussia, Pennsylvania. The meeting was held to discuss the finding described in NRC Office of Investigations (OI) Report No. 1-2006-015 that Jean Peng deliberately submitted inaccurate information to an NRC licensee, which caused the licensee to be in violation of NRC regulations. The meeting was closed to the public.

Brian Holian, NRC Region I Director - Division of Nuclear Materials Safety (DNMS), made the opening remarks and briefly described the purpose of the conference. John Wray, NRC Region I Enforcement Specialist, described the NRC Enforcement Policy and process. Pamela Henderson, Chief, Medical Branch, (DNMS) reviewed the apparent violation described in the OI report.

Ms. Peng acknowledged the importance of submitting accurate and complete information to the NRC in the future. Ms. Peng's Curriculum Vitae stated that between December 2004 and February 2005 she received "clinical experience" at Englewood Hospital and Medical Center (EHMC). Ms. Peng stated that she came to work with Dr. Yang during the last week of December 2004 and the month of January 2005 at Monmouth Medical Center (MMC), and for two evenings in January 2005 at EHMC. She began employment at EHMC in February 2005. Since the clinical experience she acquired during that period of time was in preparation for her position at EHMC, she listed the information on her Curriculum Vitae as time fully spent at EHMC instead of the actual time spent at both MMC and EHMC.

The NRC staff questioned Ms. Peng regarding the extent and adequacy of this training, and how it was communicated to the NRC.

Ms. Peng stated that she would take the following corrective actions: (1) change her resume to correctly reference training received at EHMC as beginning in February 2005 (not December 2004); and, (2) not rely on another individual to interpret NRC regulations that apply to her.

Mr. Wray provided closing comments on the Enforcement Policy.

Mr. Holian thanked Ms. Peng and her attorney for their attendance and adjourned the meeting.

LIST OF PERSONS ATTENDING

Individual

Lee-Cheng (Jean) Peng, Medical Physicist

Individual's Attorney

Raymond H. Wong, Esq.

NRC

Brian E. Holian, Director, Division of Nuclear Materials Safety (DNMS)

Pamela Henderson, Chief, Medical Branch, DNMS

Shirley Xu, Health Physicist, Medical Branch, DNMS

Thomas Thompson, Senior Health Physicist, R & D Branch, DNMS

Michelle Simmons, Health Physicist, Medical Branch, DNMS

Daniel Holody, Team Leader, ORA

John Wray, Enforcement Specialist, ORA

Anne DeFrancisco, Enforcement Specialist, ORA

Karl Farrar, Regional Counsel, ORA

Ernest P. Wilson, Director, OI

Jeffrey Ferich, OI investigator

Sally Merchant, Senior Enforcement Specialist, Office of Enforcement (OE)

Mary K. Fahey, OI

Leela Sreenivas, Enforcement Specialist, OE

Gregory Morell, FSME