



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

May 16, 2007

Docket No. 03008602

License No. 52-15086-01

Milton Maldonado
Executive Director
Teacher's Hospital
G.P.O. Box 4708
San Juan, PR 00936-4708

SUBJECT: INSPECTION 03008602/2007001, TEACHER'S HOSPITAL, SAN JUAN, PUERTO RICO SITE, NOTICE OF VIOLATION, AND LICENSE AMENDMENT, CONTROL NO. 140442

Dear Mr. Maldonado:

On March 28, 2007, with subsequent office reviews through April 25, 2007, Héctor Bermúdez of this office conducted a safety inspection at your facility 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 you 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 the violation by severity level. The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence are already adequately addressed on the docket in the license amendment request dated April 12, 2007. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice. License Amendment No.11 is also enclosed.

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).

M. Maldonado
Teacher's Hospital

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

Enclosures:
Notice of Violation
License Amendment No. 11

cc:
David M. Rhoe, Radiation Safety Officer
Commonwealth of Puerto Rico

M. Maldonado
Teacher's Hospital

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

Enclosures:
Notice of Violation
License Amendment No. 11

cc:
David M. Rhoe, Radiation Safety Officer
Commonwealth of Puerto Rico

Distribution:
D. J. Holody, RI

DOCUMENT NAME: C:\FileNet\ML071370451.wpd
ADAMS Document Accession No. ML071370451

SUNSI Review Complete: HBermúdez

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	<input checked="" type="checkbox"/> N	DNMS/RI	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NAME	Hbermúdez/PJH f/		PHenderson/PJH				
DATE	05/16/07		05/16/07				

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

Teacher's Hospital
San Juan, PR

Docket No. 03008602
License No. 52-15086-01

During an NRC inspection conducted on March 28, 2007, with subsequent office reviews through April 25, 2007, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

License Condition No. 10 specifies, in part, that licensed material be used or stored only at the licensee's facilities located at the first and fifth floors of the hospital.

Contrary to the above, for years the licensee had been storing waste at a location on the fourth floor not authorized by the license and, since 1994, the licensee converted the facility at the fifth floor for unrestricted use without prior NRC approval.

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

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence and the date when full compliance will be achieved is already adequately addressed on the docket. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation," and send it 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).

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 16 day of May 2007