



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

September 15, 2008

Docket No. 03003308

License No. 45-01589-01

M. Todd Way
Vice President, Operations
Valley Health System
1870 Amherst Street
Winchester, VA 22604

SUBJECT: INSPECTION 03003308/2008001, VALLEY HEALTH SYSTEM, WINCHESTER,
VIRGINIA SITE AND NOTICE OF VIOLATION

Dear Mr. Way:

On April 29, 2008, Willie Lee 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 inspection also included an examination of waste disposal records requested by the inspector on June 18, 2008. The findings of the inspection were discussed with you and Dana Hare of your organization at the conclusion of the inspection on August 26, 2008.

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. 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, Academic, and Industrial Uses of Nuclear Material**; then **Regulations, Guidance, and Communications Page**. The current Enforcement Policy is included on the NRC's website at www.nrc.gov; select **About NRC; Organization and Functions; Office of Enforcement; About Enforcement**; then **Enforcement Policy**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 7:00 a.m. to 8:00 p.m. EST, Monday through Friday (except Federal holidays).

M. Way
Valley Health System

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Please contact Willie Lee at 610-337-5090 if you have any questions regarding this matter.

Sincerely,

Original signed by:
Penny Lanzisera for
Pamela J. Henderson, Chief
Medical Branch
Division of Nuclear Materials Safety

Enclosure:
Notice of Violation

cc:
Dana Hare, Radiation Safety Officer
Commonwealth of Virginia

M. Way
Valley Health System

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Original signed by:
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Enclosure:
Notice of Violation

cc:
Dana Hare, Radiation Safety Officer
Commonwealth of Virginia

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D. J. Holody, RI

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OFFICE	DNMS/RI	☒ N	DNMS/RI	☐	☐	☐	☐
NAME	WLee/wjl		Phenderson/pl f/				
DATE	08/27/08		08/28/08				

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NOTICE OF VIOLATION

Valley Health System
Winchester, VA

Docket No. 03003308
License No. 45-01589-01

During an NRC inspection conducted on April 29, 2008, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

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 iodine-131 sodium iodide greater than 30 microcuries.

Contrary to the above, all written directives reviewed during the inspection were not signed. Specifically, eleven written directives (dated 1/17/07, 5/14/07, 5/15/07, 6/13/07, 6/27/07, 7/11/07, 7/25/07, 7/25/07, 8/24/07, 8/29/07 and 10/24/07) were not signed by the authorized user before the administration of iodine-131 in excess of 30 microcuries used for whole body imaging studies.

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

Pursuant to the provisions of 10 CFR 2.201, Valley Health System 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.

Notice of Violation
Valley Health System

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

Dated This 15 day of September 2008