

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED: St. Joseph Mercy Port Huron 2601 Electric Avenue Port Huron, MI 48060-6518 REPORT NUMBER(S) 2009-001		2. NRC/REGIONAL OFFICE U.S. Nuclear Regulatory Commission Region III 2443 Warrenville Road Suite 210 Lisle, Illinois 60532-4351	
3. DOCKET NUMBER(S) 030-09491	4. LICENSEE NUMBER(S) 21-15638-01	5. DATE(S) OF INSPECTION August 19, 2009	

LICENSEE:

The inspection was an examination of the activities conducted under your license as they relate to radiation safety and to compliance with the Nuclear Regulatory Commission (NRC) rules and regulations and the conditions of your license. The inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observations by the inspector. The inspection findings are as follows:

- 1. Based on the inspection findings, no violations were identified.
- 2. Previous violation(s) closed.
- 3. The violation(s), specifically described to you by the inspector as non-cited violations, are not being cited because they were self-identified, non-repetitive, and corrective action was or is being taken, and the remaining criteria in the NRC Enforcement Policy, NUREG-1600, to exercise discretion, were satisfied.

One

Non-Cited Violation(s) was/were discussed involving the following requirement(s) and Corrective Action(s):

On April 23, 2009, the licensee determined that the nuclear medicine hot lab, containing a reference source and approximately 100 mCi of unit doses, was left unsecured for intermittent periods within a 30 minute time-frame while contractors performed work above the drop ceiling. The licensee's RSO identified a violation of 10 CFR 20.1801 and reported this violation to the licensee's management. The RSO performed an immediate inventory and accounted for all material in the hot lab. The licensee implemented notification procedures for any future construction activities in restricted areas. The RSO also instructed the nuclear medicine staff to inform the RSO about any construction activities within restricted areas before allowing contractors into the area.

- 4. During this inspection certain of your activities, as described below and/or attached, were in violation of NRC requirements and are being cited. This form is a NOTICE OF VIOLATION, which may be subject to posting in accordance with 10 CFR 19.11.
(Violations and Corrective Actions)

Licensee's Statement of Corrective Actions for Item 4, above.

I hereby state that, within 30 days, the actions described by me to the inspector will be taken to correct the violations identified. This statement of corrective actions is made in accordance with the requirements of 10 CFR 2.201 (corrective steps already taken, corrective steps which will be taken, date when full compliance will be achieved). I understand that no further written response to NRC will be required, unless specifically requested.

Title	Printed Name	Signature	Date
LICENSEE'S REPRESENTATIVE			
NRC INSPECTOR	Deborah A. Piskura	<i>Deborah A. Piskura</i>	8/25/2009

2091

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3. DOCKET NUMBER(S) 030-09491	4. LICENSE NUMBER(S) 21-15638-01	5. DATE(S) OF INSPECTION Aug. 19, 2009	
6. INSPECTION PROCEDURES USED 87130, 87131, 87132		7. INSPECTION FOCUS AREAS 03.01 – 03.08	

SUPPLEMENTAL INSPECTION INFORMATION

1. PROGRAM CODE(S) 02120	2. PRIORITY 3	3. LICENSEE CONTACT J. Charles Smith, M.S., RSO	4. TELEPHONE NUMBER 810-985-1564
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Main Office Inspection

Next Inspection Date: Aug. 2012

Field Office

Temporary Job Site
Inspection

PROGRAM SCOPE

This licensee was a large community hospital authorized to use licensed material permitted by Sections 35.100, 35.200, 35.300, and 35.400. The licensee is also authorized to use material at its clinic in Ft. Gratiot, Michigan, however this site was not reviewed during this inspection. The nuclear medicine department was staffed with three technologists who performed approximately 80-100 diagnostic cardiac procedures per month. The licensee received unit doses and bulk material from a licensed radiopharmacy. Typically in a year, the licensee treated 30 cases of hyperthyroidism, 20-40 cases of thyroid carcinoma, and 80 whole body CA follow up studies. The majority of the iodine therapies were performed at the licensee's Ft. Gratiot clinic. Radioiodine was obtained from a licensed nuclear pharmacy in capsule form. The radiation therapy department was staffed with 1 medical physicist and 1 authorized user. The hospital used Cs-137 sources for temporary implants (4-6 cases per year). The department used I-125 for permanent prostate implants to treat approximately 6-10 cases per year. Occasionally, the licensee used Ir-192 seeds for a bronchial implant. The licensee's RSO audited the radiation safety program on a quarterly basis.

This inspection consisted of interviews with licensee personnel, a review of selected records, tour of the nuclear medicine and radiation oncology departments, a confirmatory inventory of the radiation therapy sources, and independent measurements.

One non-cited violation was identified. On April 23, 2009, the licensee determined that the nuclear medicine hot lab, containing a reference source and approximately 100 mCi of unit doses, was left unsecured for intermittent periods within a 30 minute time-frame while contractors performed work above the drop ceiling. The licensee's RSO identified a violation of 10 CFR 20.1801 and reported this violation to the licensee's management. The RSO performed an immediate inventory and accounted for all material in the hot lab. The licensee implemented notification procedures for any future construction activities in restricted areas. The RSO also instructed the nuclear medicine staff to inform the RSO about any construction activities within restricted areas before allowing contractors into the area.



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
2443 Warrenville Road, Suite 210
Lisle, Illinois 60532-4352

TELEFAX TRANSMITTAL

DATE: 8/25/09

NUMBER OF PAGES: 2
(including this page)

SEND TO: Becky Smith, VP Outpatient/Ancillary

LOCATION: St. Joseph Mercy

FAX NUMBER: 810 - 985 - 1579 **VERIFY BY CALLING SENDER**

FROM: (SENDER) Debbie Pistkura

TELEPHONE NUMBER: 630 - 827 - 9867 FAX NUMBER: 630 - 515 - 1259

If you do not receive the complete fax transmittal, please contact the sender as soon as possible at the telephone number provided above.

MESSAGE

Dear Becky,
As we discussed during last week's inspection, enclosed is my inspection report (only 1 page form). No need for you to sign, just maintain this form in your records. If you have any questions, please contact me.

*Best regards,
Debbie Pistkura*

NOTICE

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender immediately by telephone and return the original to the above address, by U.S. Mail. Thank you.