



September 29, 2009

Docket No. 03002556

License No. 29-12664-01

George Popko
Vice President
Christ Hospital
176 Palisades Avenue
Jersey City, NJ 07306

SUBJECT: NRC INSPECTION REPORT NO. 03002556/2009001, CHRIST HOSPITAL,
JERSEY CITY, NEW JERSEY SITE AND NOTICE OF VIOLATION

Dear Mr. Popko:

On August 12 and 20, 2009, Tara Weidner 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 selective examination of representative records. Additional information provided in the telephone conversations on September 25, 2009 between Joseph Giardina, physics consultant and this office was also examined as part of the inspection. Preliminary findings were discussed on August 20, 2009, with George Popko, Executive Vice President, Maureen Fitzsimmons, Vice President, Patient Care Services, Alan Shaiman, M.D., Radiation Safety Officer, Leonard Jones, Director of Radiology, and Harry Gardner, Chief Nuclear Medicine Technologist. Telephone exit meetings were held on September 25, 2009, with you and Alan Shaiman, M.D. to discuss the results 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. 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.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosures, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC document system (ADAMS), accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made

available to the Public without redaction.

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; How We Regulate; 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 6:30 p.m. EST, Monday through Friday (except Federal holidays).

Please contact Tara Weidner at 610-337-5272 if you have any questions regarding this matter.

Sincerely,

Original signed by Pamela Henderson

Pamela Henderson, Chief
Medical Branch
Division of Nuclear Materials Safety

Enclosure:
Notice of Violation

cc:
Alan Shaiman, M.D., Radiation Safety Officer
State of New Jersey

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Original signed by Pamela Henderson

Pamela Henderson, Chief
Medical Branch
Division of Nuclear Materials Safety

Enclosure:
Notice of Violation

cc:
Alan Shaiman, M.D., Radiation Safety Officer
State of New Jersey

Distribution:
D. J. Holody, RI

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SUNSI Review Complete: TWeidner

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OFFICE	DNMS/RI	N	DNMS/RI	N	DNMS/RI		
NAME	TWeidner/TW		PHenderson/PJH				
DATE	9/28/09		9/28/09				

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NOTICE OF VIOLATION

Christ Hospital
Jersey City, NJ

Docket No. 03002556
License No. 29-12664-01

During an NRC inspection conducted on August 12 and 20, 2009, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 35.14(b)(1) requires, in part, that the licensee notify the Commission no later than 30 days after the Radiation Safety Officer permanently discontinues performance of duties under the license.

Contrary to the above, the licensee failed to notify the Commission after the Radiation Safety Officer permanently discontinued performance of duties under the license. Specifically, the Radiation Safety Officer resigned on April 13, 2009 and the licensee did not notify the Commission until July 17, 2009. An amendment to name a Radiation Safety Officer was approved by the Commission on August 31, 2009.

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

Pursuant to the provisions of 10 CFR 2.201, Christ Hospital 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
Christ Hospital

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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 28th day of September 2009