



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV  
612 EAST LAMAR BLVD, SUITE 400  
ARLINGTON, TEXAS 76011-4125

November 3, 2010

Central Montana Medical Center  
ATTN: Mr. David Faulkner, CEO  
408 Wendall Avenue  
Lewistown, Montana 59457

SUBJECT: NRC INSPECTION REPORT 030-14819/2010-001 AND NOTICE OF VIOLATION

Dear Mr. Faulkner:

This refers to the inspection conducted at Central Montana Medical Center in Lewistown, Montana, on September 23, 2010, with continued in office review until October 14, 2010. The inspection was an examination of activities conducted under the Central Montana Medical Center license as they relate to safety and compliance with the Commission's rules and regulations and with the conditions of the license. Within these areas, the inspection consisted of selected examination of procedures and representative records and interviews with personnel. Preliminary inspection findings were discussed with Dr. Veronica Hingle and Mr. Alan Aldrich at the conclusion of the onsite portion of the inspection. A final exit briefing was conducted telephonically with you and your staff on October 14, 2010.

Based on the results of this inspection, the NRC has determined that one Severity Level IV violation of NRC requirements occurred. The violation involved the failure to wear a personal monitoring device while using radioactive material, as required. The violation was evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violation is cited in the enclosed Notice of Violation (Notice). The violation is being cited in the Notice because it was identified by the NRC during the inspection.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. For your consideration and convenience, an excerpt from NRC Information Notice 96-28, "Suggested Guidance Relating to Development and Implementation of Corrective Action," is enclosed. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site 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.

Should you have any questions regarding this letter or the enclosed Notice, please contact Mr. Jason Razo at (817) 276-6589 or the undersigned at (817) 860-8287.

Sincerely,

***/RA James L. Thompson for/***

Vivian H. Campbell, Chief  
Nuclear Materials Safety Branch A

Docket: 030-14819  
License: 25-18307-01

Enclosures:

1. Notice of Violation
2. Information Notice 96-28

cc w/Enclosure 1:

Montana Radiation Control Program Director

Internal distribution via e-mail:

E. Collins, RA  
 A. Howell, D:DNMS  
 C. Cain, DD:DNMS  
 V. Campbell C.DNMS/NMSB-A  
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RIV Materials Docket File  
 DNMS Secretarial File

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R:\\_DNMS

ADAMS: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> SUNSI Review Complete	Reviewer Initials: JMR	
	<input checked="" type="checkbox"/> Publicly Available	<input checked="" type="checkbox"/> Non-Sensitive	
Category A.	<input type="checkbox"/> Non-publicly Available	<input type="checkbox"/> Sensitive	
KEYWORD:			
MSB-A	C:MSB-A		
JMRazo	VHCampbell		
<b>/RA/</b>	<b>/RA JLT for/</b>		
11/01/2010	11/02/2010		

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T=Telephone

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## NOTICE OF VIOLATION

Central Montana Medical Center  
Lewistown, Montana

Docket: 030-14819  
License: 25-18307-01

During an NRC inspection conducted from September 23 through October 14, 2010, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

License Condition 15 of NRC Materials License 25-18307-01, Amendment 18, Corrected Copy, states, in part, that the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, in the application dated January 26, 2005.

The January 26, 2005, application states, in part, that the licensee will develop, implement, and maintain procedures for safe use of unsealed byproduct material that meet the requirements of 10 CFR 20.1101 and 10 CFR 20.1301.

The licensee developed, implemented, and maintained a procedure for safe use of unsealed byproduct material that met the requirements of 10 CFR 20.1101 and 10 CFR 20.1301. The policy and procedure entitled, *Safe Use of Radiopharmaceuticals*, located in the Radiation Safety Program section of the Central Montana Medical Center Manual states, in part, that the licensee will wear personal monitoring devices at all times while in areas where radioactive materials are used or stored.

Contrary to the above, on September 23, 2010, licensee personnel failed to wear personal monitoring devices at all times while in areas where radioactive materials are used or stored. Specifically, one of the licensees' personnel failed to wear whole body and extremity dosimetry while using radioactive materials.

This is a Severity Level IV violation. (Violation Example 6.7)

Pursuant to the provisions of 10 CFR 2.201, Central Montana Medical Center, is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, with a copy to the Regional Administrator, Region IV, 612 E. Lamar Blvd., Suite 400, Arlington, Texas, 76011, 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 or severity level, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken, and (4) the date when full compliance was, or 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.

ENCLOSURE 1

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

Because your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

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

Dated this 3<sup>rd</sup> of November 2010.