

2/3/2011

Reply to a Notice of Violation: Docket No. 030-30651  
License No. 49-26949-01

TO: Nuclear Regulatory Commission      Copy to: Regional Administrator  
Attn: Document Control Desk              Region IV, 612 E. Lamar Blvd  
Washington, DC 20555-0001              Suite 400  
Arlington, Tx 76011-4005

From: Hot Springs County Memorial Hospital  
Daryl T Mathern, Director Diagnostic Imaging  
150 E Arapahoe St  
Thermopolis, Wy 82443

Dear Ms Campbell:

Severity Level IV violation:

10CFR35.92(a) states, in part, that the licensee may hold byproduct material with a physical half-life of less than or equal to 120 days for decay in storage before disposal. Contrary to the above, on March 9, 2010, the licensee held byproduct material with a physical half-life greater than 120 days for decay in storage before disposal. Specifically, licensee personnel held three C0-57 flood sources for decay in storage and then disposed of the material without regard to radioactivity. The physical half-life of CO-57 is 271.7 days, which did not meet the half life criteria of less than equal to 120 days.

The reason for the violation was due to a misinterpretation of the NRC guidelines/regulations. Because of this misinterpretation, three C0-57 Flood sources for decay-in-storage were inappropriately disposed. The root cause was a misunderstanding of the guidelines, as we believed that the sources, which were all 20 years or older could be destroyed if measured activity was below background and labels destroyed. Because of this inaccurate assumption, these sources were measured for activity and labels destroyed before disposal.

The NRC guidelines 10CFR35.92(a) has been reviewed with Nuclear Staff and re-enforced that sources with a half life greater than 120 days may not be disposed. (1/1/11)

Immediate corrective action and full compliance has taken place with all existing sources. Any change with regard to existing flood sources will only be done under the direction of the RSO and the radiation physicist. (1/1/11)

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To prevent further violations, any major policy changes and or addition of our Nuclear Medicine program will be reviewed using NRC guidelines specifically NUREG-1556 "Program-Specific Guidance about Medical Use Licenses" and will be approved by our radiation physicist prior to implementation.(1/1/11) We at Hot Springs County Memorial Hospital are committed to patient safety and hope these changes meet your expectations for compliance and safety of our Nuclear Medicine program. Any questions, call 307-864-5047.

Respectfully; 

Daryl T Mathern, CNMT  
Director Diagnostic Imaging, HSCMH

CC.; Charles Myers, CEO  
Dr James Taylor, Radiation Safety Officer  
David Switzer, MS,DABR, Radiation Physicist