

CATS



*"Exclusively Feline
Appointment Only"*

VETERINARY
AND RADIO-IODINE
TREATMENT CENTERS

Dr. Dan H. Marshall
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August 29, 2011

Materials Licensing Branch
US Nuclear Regulatory Commission, Region III
2443 Warrenville Road, Ste 210
Lisle, IL 60532-4352

RE: REPLY TO A NOTICE OF VIOLATION NRC Inspection Report 030-33367/11-01 (DNMS) and notice of violation.

This letter is our response to our recent NRC inspection and resulting Severity Level IV violation.

- 1) The reason for our violation was a higher than usual exposure measurement from our waste areas, which increased exposure readings in the area. We had a larger than normal volume of cats for the period, which lead to a larger than normal volume of collected radioactive waste.
- 2) We have established a new training program for all employees working with Radioactive materials at all locations listed under our NRC license #21-26539-01. This training program will include the review of our newly updated policy – Cats Radioactive Room Survey – attached. A new sign was posted changing from Radioactive Material to Radioactive Area.
- 3) To avoid further violations we will review our new policy in our annual inservices to staff. We will also place leaded material on top of the waste containers if we measure higher radiation levels to further reduce exposures.
- 4) Full compliance will occur prior to the end of October 2011. Travel times for The physicist to complete the required in person training for each individual at each location is required.

If there are any questions, please contact Laura T. Smith, physicist at 586 215-5947, pager 313-609-2038 or Dr. Dan H. Marshall DVM, at 586-463-9550

Sincerely

Dan H. Marshall, DVM, RSO
Radiation Safety Officer

Cats Radioactive room surveys

PURPOSE

To assure that new employees are familiar with the appropriate radiation safety policies and procedures with end of day surveys and weekly wipe testing for removable contamination in Cat Nuclear areas.

POLICY

Ambient Dose Rate Surveys

1. Survey Areas
 - a. In Radiopharmaceutical areas at the end of each day of use with a radiation detection survey meter.
 - b. In Radiopharmaceutical storage areas – survey weekly.
2. Immediately notify the RSO if you find unexpectedly high survey levels, and assess wipe testing procedures to assess if contamination or ambient exposures.
3. If exposure rates are over 5mrem/hour at 30cm from any area – a new posting sign must be posted outside the door noting: Caution Radioactive Area. Once levels of exposure drop below the 5mrem/hour at 30cm level, the original door signage noting: Caution Radioactive Materials should be replaced.

Before commencing work with Nuclear employees will receive instruction to advise them of radiation safety policies and procedures, as apply to wipe testing and removable contamination surveys.

Removable Contamination Surveys

Weekly departmental wipes are required at the end of the working week. (example: If Thursday and Friday are holidays, and no radioactive cats are present at facility, then the weekly wipe will be performed on Wednesday – if unsure, ask Dr. Marshall or physicist). Wipes are also required if a spill occurs to clarify removable contamination. Wipes may be done on a more frequent basis, if wanted, but not required. When performing wipes, the wipe test counter QC must have been completed for that day.

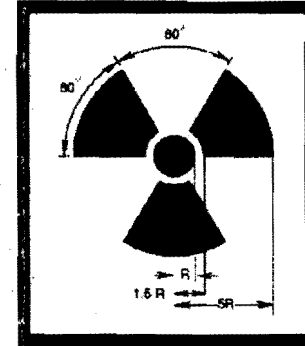
Additional required wipe testing includes (see these policies for reference):

- Package Wipes, and hot lab waste storage areas
- Locations where Iodine-131 administrations occur.

Wipe testing survey areas:

1. In areas indicated by the facility map, administration areas, survey at end of work week for removable contamination. If diagnostic administrations are occasionally made in patients' rooms and special care is taken to remove all paraphernalias, those rooms need not be surveyed.

Warning Signs



■ Caution - Radiation Area

- could receive to a major portion of the body 5mrem/hour at 30cm from the source.

■ Caution - High Radiation Area

- could receive more than 100mrem/hour at 30cm from a source

■ Caution - Radioactive Material

- required for room, areas, enclosure, or hoods in which RAM is transported, stored, or used (including waste).



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
2443 Warrenville Road
Lisle, IL 60532

August 4, 2011

Dan H. Marshall, DVM
Radiation Safety Officer
Cats - Radio Iodine Treatment Centers
70 Gallup
Mt. Clemens, MI 48036

SUBJECT: NRC INSPECTION REPORT NO. 030-33367/11-001(DNMS) AND NOTICE OF VIOLATION – CATS- RADIO IODINE TREATMENT CENTERS

Dear Dr. Marshall:

On July 13 and 15, 2011, a U.S. Nuclear Regulatory Commission (NRC) inspector conducted safety inspections at your facilities located at 14080 Wright Road, Eagle, Michigan; 4327 Gratiot, Clinton Township, Michigan; and 3215 Breton, S.E., Grand Rapids, Michigan. The inspection was an examination of your licensed activities as they relate to radiation safety and to compliance with the Commission's regulations and your license conditions. The inspection consisted of observations by the inspector, interviews with personnel, and a selective examination of representative records. The findings of the inspection were discussed with you at the conclusion of the inspection.

Based on the results of this inspection, the NRC has determined that one Severity Level IV violation of NRC requirements occurred. 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 involved the failure to post an area as "CAUTION, RADIATION AREA," as required by Title 10 of the Code of Federal Regulations (CFR) Section 20.1902(a). Specifically, the inspector surveyed two waste containers that had readings greater than 5 millirem in an hour at 30 centimeters from the waste bucket; and therefore required posting as a radiation area. However, the area was posted as "Radioactive Material" and not posted as "CAUTION, RADIATION AREA." As corrective action you stated you would post the area with "CAUTION, RADIATION AREA" signs. During the inspection exit meeting on July 15, 2011, you indicated that you had completed posting the signs. Additionally, you stated that you would take corrective and preventative actions to address the violation.

The violation is cited in the enclosed Notice of Violation (Notice). The violation is being cited because the NRC inspector identified the violation.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The guidance in NRC Information Notice 96-28, "Suggested Guidance Relating to Development and Implementation of Corrective Action," may be helpful. You can find the information notice on the NRC website at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/info-notices/1996/in96028.html>. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

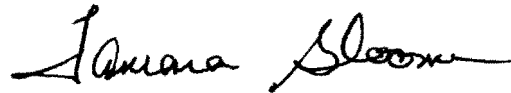
D. Marshall

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In accordance with Title 10 Code of Federal Regulations (10 CFR) Part 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 Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html> <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.

If you have any questions regarding this matter, please contact Dennis Lawyer at (610) 337-5366.

Sincerely,



Tamara E. Bloomer, Chief
Materials Inspection Branch
Division of Nuclear Materials Safety

Docket No. 030-33367
License No. 21-26539-01

Enclosure:
Notice of Violation

cc w/encl: State of MI

NOTICE OF VIOLATION

Cats - Radio Iodine Treatments Centers
Mt. Clemens, MI

Docket No. 03033367
License No. 21-26539-01

During a U.S. Nuclear Regulatory Commission (NRC) inspection conducted on July 13 and 15, 2011, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Title 10 of the Code of Federal Regulations (CFR) Section 20.1902(a) requires that the licensee post each radiation area with a conspicuous sign or signs bearing the radiation symbol and the words "CAUTION, RADIATION AREA."

Contrary to the above, as of July 15, 2011, the waste storage area at the 43727 Gratiot, Clinton Township, Michigan facility, a radiation area with a radiation dose rate of approximately 9 millirem in one hour at 30 centimeters from the radiation source was not posted with a sign bearing the radiation symbol and the words "CAUTION, RADIATION AREA."

This is a Severity Level IV violation (Section 6.3).

Pursuant to the provisions of 10 CFR 2.201, Cats - Radio Iodine Treatment Centers 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 III, 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 addressed 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, U. S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

In accordance with 10 CFR 2.390, of the NRC's "Rules of Practice," a copy of this letter, its enclosure, 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's Agencywide Documents Access and Management 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.

Enclosure

Notice of Violation

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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 4th day of August 2011.

Enclosure

CATS



**VETERINARY
AND RADIO-IODINE
TREATMENT CENTERS**

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