

August 31, 2011

Mr. Joe Strano  
Radiology Manager  
North Kansas City Hospital  
2800 Clay Edwards Drive  
North Kansas City, MO 64116

SUBJECT: NRC REACTIVE INSPECTION REPORT 030-13966/11-001(DNMS) – NORTH KANSAS CITY HOSPITAL

Dear Mr. Strano:

On August 8, 2011, the U.S. Nuclear Regulatory Commission (NRC) performed a reactive inspection at your facility in North Kansas City, Missouri. The purpose of the inspection was to review the events surrounding your discovery of a licensing issue at your facility at 2790 Clay Edwards Drive. The enclosed report presents the results of this inspection. The findings of the inspection were discussed with you and members of your staff at the exit meeting on August 8, 2011.

Based on the results of this inspection, the NRC has determined that one Severity Level IV violation of NRC requirements occurred. The violation concerned the use of licensed material requiring a written directive at your facility at 2790 Clay Edwards Drive in North Kansas City, a location that was not authorized for such activities. This violation is non-repetitive, licensee-identified, and corrected and is therefore being treated as a Non-Cited Violation (NCV), consistent with Section 2.3.2 of 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 NCV is described in the subject inspection report.

If you contest the violation or significance of the NCV, you should provide a response within 30 days of the date of this inspection report, with the basis for your denial, to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington DC 20555-0001, with copies to: (1) the Regional Administrator, Region III; and (2) the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

In accordance with Title 10 of the Code of Federal Regulations (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 or proprietary information so that it can be made available to the public without redaction.

J. Strano

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If you have any questions please feel free to contact Geoffrey Warren of my staff. Mr. Warren can be reached at 630-829-9742.

Sincerely,

***/RA Kenneth Lambert for/***

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

Docket No. 030-13966  
License No. 24-18628-01

Enclosure:  
Inspection Report No. 030-13966/11-001(DNMS)

cc: Martin S. Richman, M.S., Radiation Safety Officer  
State of Missouri

J. Strano

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cc: Martin S. Richman, M.S., Radiation Safety Officer  
State of Missouri

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U.S. NUCLEAR REGULATORY COMMISSION

REGION III

Docket No. 030-13966

License No. 24-18628-01

Report No. 030-13966/11-001(DNMS)

Licensee: North Kansas City Hospital

Locations: 2790 Clay Edwards Drive, North Kansas City, Missouri  
2800 Clay Edwards Drive, North Kansas City, Missouri

Date: August 8, 2011

Exit Meeting: August 8, 2011

Inspectors: Geoffrey M. Warren, Health Physicist

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

Enclosure

## **EXECUTIVE SUMMARY**

**North Kansas City Hospital  
North Kansas City, Missouri  
NRC Inspection Report No. 030-13966/11-001(DNMS)**

The U.S. Nuclear Regulatory Commission (NRC) conducted a reactive inspection at North Kansas City Hospital on August 8, 2011, to review the circumstances, root and contributing causes, and corrective actions associated with the licensee's notification to NRC that a clinic operating under the hospital's license was performing activities not authorized to be performed at the clinic.

The inspector identified one violation of NRC requirements, involving the performance of procedures permitted by Title 10 of the Code of Federal Regulations (CFR), Section 35.300, at the outpatient clinic located at 2790 Clay Edwards Drive in Kansas City, Missouri, where these activities were not authorized by the hospital's NRC license.

The root cause of the violation was that licensee personnel were not aware that the NRC license did not authorize procedures requiring written directives at the outpatient clinic. As corrective action, the licensee immediately ceased performing such procedures at the clinic and requested an amendment to the NRC license to authorize these procedures. The NRC issued the requested license amendment on August 2, 2011. This non-repetitive, licensee-identified and corrected violation is being treated as a Non-Cited Violation, consistent with Section 2.3.2 of the NRC Enforcement Policy.

## Report Details

### **1 Program Scope and Inspection History**

North Kansas City Hospital (licensee) was a medical center located in North Kansas City, Missouri. Licensee personnel performed diagnostic and therapeutic medical procedures as authorized by NRC License No. 24-18628-01. Among other activities, the licensee performed nuclear medicine procedures at facilities located at 2790 and 2800 Clay Edwards Drive in North Kansas City, Missouri.

The hospital was previously inspected in April 2008 and May 2010. No escalated enforcement actions were taken as a result of these inspections, though a Severity Level IV violation was cited in the May 2010 inspection involving the failure to decay-in-storage only radioactive materials with a half-life less than 120 days.

### **2 Use of Licensed Material Requiring a Written Directive**

#### **2.1 Inspection Scope**

The inspector interviewed the radiation safety officer (RSO) and nuclear medicine staff to review nuclear medicine procedures requiring a written directive at the outpatient clinic and how the licensee identified and corrected the issue concerning the authorization to perform these procedures. In addition, the inspector toured the facility and reviewed selected records and procedures.

#### **2.2 Observations and Findings**

While preparing the renewal application for North Kansas City Hospital, the RSO reviewed the authorizations for each facility authorized by the license. On Friday, July 29, 2011, the RSO realized that nuclear medicine technologists at the outpatient clinic, located at 2790 Clay Edwards Drive, had administered materials requiring a written directive, but that the hospital's NRC license authorized only materials not requiring a written directive at the clinic. Specifically, the technologists had administered capsules for whole-body scans, each containing approximately 7 millicuries of iodine-131. This is a violation of 10 CFR Part 30.3, which requires, in part, that, except for persons exempted, no person shall possess or use byproduct material except as authorized by a specific or general license issued pursuant to 10 CFR Part 1.

The root cause of the violation was licensee personnel not being aware that the NRC license did not authorize procedures requiring a written directive at the outpatient clinic. As corrective action, the RSO immediately contacted personnel at the clinic and told them to cease performing such procedures until the issue could be resolved. He held a meeting the following Monday to discuss the issue with his management, then contacted the NRC Region III Office to determine how to correct the issue. Based on this contact, the RSO sent a letter dated August 1, 2011, to the NRC requesting a license amendment authorizing procedures permitted by 10 CFR 35.300 at the outpatient clinic. Amendment No. 40, which authorized such activities at the clinic, was issued on August 2, 2011. This non-repetitive, licensee-identified and corrected violation is being treated as a Non-Cited Violation, consistent with Section 2.3.2 of the NRC Enforcement Policy.

The inspector observed that the outpatient clinic was in a building connected to the main hospital, where the NRC license authorized the use of materials under 10 CFR 35.300. Demonstrations of activities including verification and administration of iodine-131 capsules showed that nuclear medicine personnel had adequate knowledge and experience to perform such procedures in accordance with the hospital's procedures; the same technologists performed these procedures at the main hospital. Written directives were filled out for each procedure and signed by authorized users who were approved by the NRC to perform activities under 10 CFR 35.300 at North Kansas City Hospital.

The licensee was unable to determine how long the whole-body scans had been performed at the outpatient clinic. A review of written directives indicated that licensee personnel had been performing these procedures at this facility since at least 2006.

### 2.3 Conclusions

The licensee identified a violation only of 10 CFR 30.3, concerning its failure to limit activities at one location to those activities authorized on the license for that facility. The licensee has implemented corrective actions to prevent recurrence of the violation.

### 3 **Exit Meeting Summary**

The inspector discussed the conclusions described in this report with the licensee during an exit meeting conducted at the licensee's facility on August 8, 2011. The licensee did not identify any information provided to the inspector during this inspection as proprietary in nature.

#### **LIST OF PERSONS CONTACTED**

- # Joe Strano, Radiology Manager
- # Martin S. Richman, M.S., Radiation Safety Officer  
and nuclear medicine staff
  
- # Attended the Exit Meeting on August 8, 2011