



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PENNSYLVANIA 19406-2713

January 9, 2013

Docket No. 03001239

License No. 06-00253-04

Donna Handley, RN
Vice President, Cancer Program
Hartford Hospital
80 Seymour Street
Hartford, CT 06102

SUBJECT: NRC INSPECTION REPORT NO. 03001239/2012001, HARTFORD HOSPITAL, HARTFORD, CONNECTICUT, WEST HARTFORD, CONNECTICUT, AND FARMINGTON, CONNECTICUT SITES, AND NOTICE OF VIOLATION

Dear Ms. Handley:

On September 25–27, 2012, Maryann Abogunde and Penny Lanzisera of this office conducted a safety inspection at the above address of activities authorized by your 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 inspectors, interviews with personnel, and an examination of records. A telephonic exit meeting was conducted on December 11, 2012, between you and other members of your staff and Maryann Abogunde and Penny Lanzisera of this office, to discuss the findings of the inspection.

Based on the results of this inspection and in accordance with the NRC Enforcement Policy, the NRC has determined that one Severity Level IV violation of NRC requirements occurred. The violation involved: the failure to ensure that the high dose rate (HDR) remote afterloader unit console keys were locked in a restricted area, which is accessible to only the physicists and the physicians, when the HDR device was not in use or unattended, in accordance with Hartford Hospital HDR procedures. The violation is cited in the enclosed Notice of Violation (Notice) because the violation was identified by the NRC.

During our inspection exit meeting on December 11, 2012, you stated verbally that you have taken the following corrective and preventative actions:

- 1) Immediately locked the keys in the restricted area; and
- 2) Scheduled to have a meeting with Hartford Hospital management to discuss storage of the keys in a lock box in the HDR console area, after which the HDR procedures will be updated and the NRC informed accordingly.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. If you have additional information that you believe the NRC should consider, you may provide it in your response to the Notice. The NRC review of your response to the Notice will also 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(s), 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 and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Med, Ind, & Academic Uses**; then **Regulations, Guidance and Communications**. The current Enforcement Policy is included on the NRC's website at www.nrc.gov; select **About NRC, Organizations & Functions; Office of Enforcement; Enforcement documents**; then **Enforcement Policy (Under 'Related Information')**. 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 8:00 a.m. to 5:30 p.m. EST, Monday through Friday (except Federal holidays).

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency's *expectations* for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/safety-culture.html>. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

D. Handley

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Please contact Maryann Abogunde at (610) 337-5090 if you have any questions regarding this matter.

Sincerely,

Original signed by James P. Dwyer

James P. Dwyer, Chief
Medical Branch
Division of Nuclear Materials Safety

Enclosure:
Notice of Violation

cc:
Peter J. Mas, Radiation Safety Officer
State of Connecticut

D. Handley

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Please contact Maryann Abogunde at (610) 337-5090 if you have any questions regarding this matter.

Sincerely,

Original signed by James P. Dwyer

James P. Dwyer, Chief
Medical Branch
Division of Nuclear Materials Safety

Enclosure:
Notice of Violation

cc:
Peter J. Mas, Radiation Safety Officer
State of Connecticut

Distribution:
D. J. Holody, RI

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OFFICE	DNMS/RI	N	DNMS/RI	N	DNMS/RI			
NAME	MAbogunde/ma		PLanzisera/pl		JDwyer/jd **			
DATE	12/13/2012		12/18/12		12/28/2012 **01/09/13			

** correction of date

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

Hartford Hospital
Hartford, CT

Docket No. 03001239
License No. 06-00253-04

During an NRC inspection conducted on September 25 – 27, 2012, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Condition 21 of License No. 06-00253-04, Amendment 109, states, in part, that the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in an application dated November 4, 2004.

Attachment 9d.2, titled "Procedure: Additional Requirements For the Operation of Mobile Remote Afterloader Units," Page #40, in the application states that the high dose rate (HDR) remote afterloader unit console keys will be locked in a restricted area, which is accessible to only the physicists and the physicians when the HDR device is not in use or unattended.

Contrary to the above, between November 2011, when the licensee completed reinstallation of the HDR unit, and September 27, 2012, the licensee did not ensure that the HDR unit console keys were locked in a restricted area, which is accessible to only the physicists and the physicians, when the HDR device was not in use or was unattended. Specifically, the licensee had been storing the keys in an unlocked drawer in the HDR console area until the day of the inspection when the inspectors identified that this was not in accordance with their HDR procedures submitted.

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

Pursuant to the provisions of 10 CFR 2.201, Hartford 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.

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

Dated This 9th day of January 2013