



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

January 18, 2013

Docket No. 03020233
EA-12-176

License No. 47-23066-02

Stephen L. Tancin
Vice President
West Virginia University Hospital, Inc.
Medical Center
P.O. Box 9006
Morgantown, WV 26506-9006

SUBJECT: NRC INSPECTION REPORT NO. 03020233/2012002, WEST VIRGINIA UNIVERSITY HOSPITAL, INC., MEDICAL CENTER, MORGANTOWN, WEST VIRGINIA AND NOTICE OF VIOLATION

Dear Mr. Tancin:

On June 25-28, 2012, Janice Nguyen and Penny Lanzisera of this office conducted a safety and security inspection at the above address of activities authorized by the above listed NRC license. The inspection consisted of observations by the inspectors, interviews with personnel, and an examination of records. The results of the inspection were discussed with you and other members of your organization at the conclusion of the inspection on December 18, 2012.

Based on the results of this inspection and in accordance with the NRC Enforcement Policy, the NRC has determined that your activities were not conducted in full compliance with NRC requirements and are detailed and categorized by severity level in the enclosed Notice of Violation (NOV). An NOV is being issued because your organization did not identify the noncompliance. In addition to the NOV, this letter also encloses a description of the noncompliance and corrective actions. The NRC has concluded that information regarding the reason for the noncompliance and the corrective actions taken and planned to prevent recurrence is already adequately addressed on the docket. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed NOV.

**Enclosures transmitted herewith contain
SUNSI. When separated from enclosures,
this transmittal document is decontrolled.**

S. Tancin

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Because this issue involves security-related information, if you choose to respond, your response will not be made available electronically for public inspection in the NRC Public Document room or the NRC's Agencywide Document Access and Management System (ADAMS), accessible from the NRC Web Site at <https://www.nrc.gov/reading-rm/adams.html>. Please mark your entire response "**Security Related – Withhold under 10 CFR 2.390.**"

The Enclosures contain "Security-Related Information" and will be withheld from public disclosure by the NRC and must be protected from unauthorized disclosure. Additional information concerning "Security Related Information" is also discussed in Regulatory Information Summary RIS-2005-031, "Control of Security-Related Sensitive Unclassified Non-Safeguards Information" (ML053480073), which is available on the NRC Web site at <http://www.nrc.gov>; select **Electronic Reading Room; All Collections; Generic Communications; Regulatory Issue Summaries; 2005; RIS-05-031.**

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.

S. Tancin

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Please contact Janice Nguyen at (610) 337-5006 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

Enclosures:

Notice of Violation (**Contains Security-Related Information**)

Description of Noncompliance and Corrective Actions (**Contains Security-Related Information**)

cc:

Nasser Razmianfar, Ed.D., Radiation Safety Officer (with enclosures)
State of West Virginia (without enclosures)

S. Tancin

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Please contact Janice Nguyen at (610) 337-5006 if you have any questions regarding this matter.

Sincerely,

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cc:

Nasser Razmianfar, Ed.D., Radiation Safety Officer (with enclosures)
State of West Virginia (without enclosures)

Distribution:

D. J. Holody, RI

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SUNSI Review Complete: JNguyen

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