



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

August 19, 2014

Docket No. 03012343

License No. 47-17199-01

Brian S. Krug, MHA
Assistant Chief Executive Officer
Greenbrier Valley Medical Center
202 Maplewood Avenue
Ronceverte, WV 24970-1334

SUBJECT: NRC INSPECTION REPORT NO. 03012343/2014001, GREENBRIER VALLEY MEDICAL CENTER, RONCEVERTE, WEST VIRGINIA SITE AND NOTICE OF VIOLATION

Dear Mr. Krug:

On June 4, 2014, Robert L. Gallagher 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 inspector, interviews with personnel, and a selective examination of representative records. The findings of the inspection were discussed with you and Monica Thomas, Director Quality Management and Regulatory Compliance, at the conclusion 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: 1) the failure to sign and date written directives by an authorized user before the administration of therapeutic doses of radiation from byproduct material. The violation is cited in the enclosed Notice of Violation (Notice), because the violation was identified by the NRC.

In accordance with 10 CFR 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 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).

B. Krug

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Please contact Robert Gallagher at (610) 337-5182 if you have any questions regarding this matter.

Sincerely,

/RA/

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

Enclosure:
Notice of Violation

cc: Heather Rose, M.D., Radiation Safety Officer
State of West Virginia

B. Krug

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Please contact Robert Gallagher at (610) 337-5182 if you have any questions regarding this matter.

Sincerely,

/RA/

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

Enclosure:
Notice of Violation

cc: Heather Rose, M.D., Radiation Safety Officer
State of West Virginia

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B. Bickett, RI

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OFFICE	DNMS/RI	N	DNMS/RI	DNMS/RI		
NAME	RGallagher/rlg		JDwyer/jpd			
DATE	8/19/14		8/19/14			

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

Greenbrier Valley Medical Center
Ronceverte, WV

Docket No. 03012343
License No. 47-17199-01

During an NRC inspection conducted on June 4, 2014, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 35.40 (a) states, in part, that a written directive must be dated and signed by an authorized user before the administration of any therapeutic dose of radiation from byproduct material.

Contrary to the above, as of June 4, 2014, a written directive was not dated and signed by an authorized user before the administration of any therapeutic dose of radiation from byproduct material. Specifically, on March 21, 2014 and April 24, 2014, the inspector determined that written directives were signed and dated by the medical physicist and not by the authorized user as required by 10 CFR 35.40(a).

This is a Severity Level IV violation (Section 6.3.d.1).

Pursuant to the provisions of 10 CFR 2.201, Greenbrier Valley Medical Center 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.

Notice of Violation
Greenbrier Valley Medical Center

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

Dated This 19th day of August 2014