



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

May 18, 2015

Docket No. 03037806

License No. 55-31325-01

Kendall M. Griffith, M.D.  
Cardiovascular Assoc. of the Virgin Islands, PLLC  
4100 Sion Farm Shopping Center, Suite 5  
Christiansted, St. Croix, U.S. Virgin Islands 00820

**SUBJECT: NRC INSPECTION REPORT NO. 03037806/2015001, CARDIOVASCULAR  
ASSOC. OF THE VIRGIN ISLANDS, PLLC, CHRISTIANSTED, U.S. VIRGIN  
ISLANDS SITE AND NOTICE OF VIOLATION**

Dear Dr. Griffith:

On February 25, 2015, Robin Elliott of this office conducted a safety inspection at the above address of activities authorized by the listed 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 on May 12, 2015, 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 the failure to conduct a semi-annual physical inventory of your sealed sources and retain the inventory record.

The violation is cited in the enclosed Notice of Violation (Notice), because the violation was identified by the NRC.

The Notice is a repeat violation that was identified during the previous inspection of your licensed Program. This was documented in the Notice of Violation enclosed with our Safety Inspection Report dated September 18, 2014. Although we had verified that you took corrective action to address the previous violation, the current violation is of concern, because your preventative actions were not effective in preventing recurrence and indicate a lack of attention to detail. The NRC expects licensees to conduct their programs with meticulous attention to detail and high standards of safety and compliance. Because of the potential for radiation exposure to employees and the public which could result from failure to comply with NRC requirements, you must conduct your program according to NRC regulations, the conditions of your NRC license, and the representations made in your application.

During our inspection exit meeting on May 12, 2015, you indicated that the sources were not used since the 2014 inspection and have remained in storage. An inventory of the sources was completed and documented during the February 25, 2015 inspection. You stated that you have taken corrective and preventative actions to address this violation and that Cardiovascular Associates of the Virgin Islands, PLLC is committed to radiation safety and to compliance with NRC regulations and licensed conditions. Further, you stated verbally and you documented in

your February 25, 2015, correspondence that you have taken the following corrective and preventative actions: Scott K. Brinkerhoff has been retained to serve as Radiation Safety Officer, he will perform the required physical inventories for the sources, and will maintain the records of the inventories.

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence is already adequately addressed in our records and in your correspondence dated February 25, 2015. Therefore, you are not required to respond to this letter unless the description of your corrective actions in this letter and your February 25, 2015, correspondence 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 Notice.

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](http://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](http://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).

Please contact Robin Elliott at (610) 337-5076 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: Scott K. Brinkerhoff, Radiation Safety Officer  
Territory of the U.S. Virgin Islands

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

Enclosure:  
Notice of Violation  
cc: Scott K. Brinkerhoff, Radiation Safety Officer  
Territory of the U.S. Virgin Islands

Distribution:  
B. Bickett, RI

DOCUMENT NAME: G:\WordDocs\Current\Insp Letter\L55-31325-01.2015001.doc **ML15139A350**

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OFFICE	DNMS/RI	N	DNMS/RI		DNMS/RI		
NAME	RElliott/re		JDwyer/jd				
DATE	5/18/15		5/18/15				

## **NOTICE OF VIOLATION**

Cardiovascular Assoc. of the Virgin Islands, PLLC  
Christiansted, St. Croix, U.S. Virgin Islands

Docket No. 030-37806  
License No. 55-31325-01

During an NRC inspection conducted on February 25, 2015, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 35.67(g) requires, in part, that a licensee in possession of sealed sources shall conduct a semi-annual physical inventory of all such sources in its possession. The licensee shall retain each inventory record in accordance with 35.2067(b).

Contrary to the above, between June 2014 and February 2015, the licensee did not conduct a semi-annual physical inventory of its sealed sources or retain the inventory record. Specifically, the licensee did not conduct a semi-annual physical inventory of its sealed source sources and did not maintain a record of the inventory.

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

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence and the date when full compliance will be achieved is already adequately addressed on the docket. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation," and send it 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).

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 18 day of May 2015