



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION IV
1600 E. LAMAR BLVD.
ARLINGTON, TX 76011-4511

November 24, 2015

Mr. Ronald W. Frick
Radiation Safety Officer
The Cancer Center of Hawaii, LLC
2226 Liliha Street
Honolulu, HI 96817

SUBJECT: NRC INSPECTION REPORT 030-36775/2015-001 AND NOTICE OF VIOLATION

Dear Mr. Frick:

This letter refers to unannounced inspection conducted on October 28, 2015, at The Cancer Center of Hawaii, LLC, facilities in Honolulu, Hawaii. The inspection continued with in-office reviews until November 9, 2015. The inspection was an examination of activities conducted under byproduct material license 53-27797-01 as they relate to safety, security, and compliance with the U.S. Nuclear Regulatory Commission's (NRC) rules and regulations and with the conditions of the license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, independent radiation measurements, and interviews with personnel. At the conclusion of the onsite portion of the inspection, the preliminary inspection findings were discussed with Robin Campos, PhD. A final telephonic exit briefing was conducted with you on November 9, 2015.

Based on the results of this inspection, the NRC has determined that one violation of NRC requirements occurred. The violation was evaluated in accordance with the NRC Enforcement Policy, which can be found at the NRC's Web site at www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html. The violation concerned the failure to perform monitoring of packages containing radioactive material as soon as practical after receipt of the package, but not later than three hours after the packages were received at the licensee's facility. The violation is being cited in the Notice of Violation (Notice) because it was identified by the NRC during the inspection.

You are required to respond to this letter and must follow the instructions specified in the enclosed Notice when preparing your response. The guidance in NRC Information Notice 96-28, "Suggested Guidance Relating to Development and Implementation of Corrective Action," may be helpful. You can find the Information Notice on the NRC Web site at <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/info-notices/1996/in96028.html>. 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 (was) achieved should be addressed. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," 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 in the NRC's Agencywide Document

Access and Management System (ADAMS), accessible from the NRC's Web site 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.

Should you have any questions concerning this inspection, please contact Dr. Janine F. Katanic, CHP, at (817) 200-1151 or the undersigned at (817) 200-1456.

Sincerely,

/RA/

Brooke G. Smith, Acting Chief
Nuclear Materials Safety Branch-A

Docket No.: 53-27797-01
License No.: 030-36775

Enclosure:
Notice of Violation (Notice)

cc: Hawaii Radiation Control Program Director

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cc: Hawaii Radiation Control Program Director

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ADAMS ACCESSION NUMBER: ML15322A395

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OFFICE	RIV:DNMS/NMSB-A	AC:NMSB-A			
NAME	JFKatanic	BGSmith			
SIGNATURE	/RA/	/RA/			
DATE	11/19/15	11/24/15			

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

The Cancer Center of Hawaii, LLC
Honolulu, Hawaii

Docket: 030-36775
License: 53-27797-01

During the NRC inspection conducted on October 28, 2015, with continued in-office review through November 9, 2015, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Title 10 of the CFR 20.1906(c) requires, in part, that a licensee shall perform the monitoring required by 10 CFR 20.1906(b) as soon as practical after receipt of the package, but not later than three hours after the package is received at the licensee's facility if it is received during the licensee's normal working hours, or not later than three hours from the beginning of the next working day if it is received after working hours.

Contrary to the above, the licensee failed to perform the monitoring required by 10 CFR 20.1906(b) as soon as practical after receipt of the package, but not later than three hours after the packages were received at the licensee's facility. Specifically, during the licensee's normal working hours on October 27, 2015, the licensee received three Yellow II labeled packages that required monitoring in accordance 10 CFR 20.1906(b). These packages were not monitored until the following day on October 28, 2015.

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

Pursuant to the provisions of 10 CFR 2.201, The Cancer Center of Hawaii, LLC, is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, with a copy to the Regional Administrator, Region IV, 1600 E. Lamar Blvd., Arlington, Texas, 76011, 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 or severity level, (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 requiring information 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, with the basis for your denial, to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

Your response will be made available electronically for public inspection in the NRC Public Document Room or in the NRC's Agencywide Document Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Enclosure

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. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

In accordance with 10 CFR 19.11(a)(4), you may be required to post this Notice within two working days.

Dated this 24 day of November 2015