



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

November 27, 2015

Docket No. 03011936

License No. 10-12044-03

COL John A. Bojeskul, M.D.  
Deputy Commander for Clinical Services  
Department of the Army  
Dwight D. Eisenhower Army Medical Center  
300 Hospital Road  
Fort Gordon, GA 30905-5650

**SUBJECT: NRC INSPECTION REPORT NO. 03011936/2015001, DEPARTMENT OF THE ARMY, DWIGHT D. EISENHOWER ARMY MEDICAL CENTER, FORT GORDON, GEORGIA AND NOTICE OF VIOLATION**

Dear COL Bojeskul:

On March 4, 2015, Héctor Bermúdez of this office conducted a safety inspection at the above address of activities authorized by the above 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 at the conclusion of the inspection. Additional information discussed during a telephone conversation on October 5, 2015, between MAJ Douglas Barrickman of your organization and Mr. Bermudez, was also part 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 secure from unauthorized access licensed material stored in a controlled area. The violation is cited in the enclosed Notice of Violation, because the violation was identified by the NRC. During our onsite inspection exit meeting on March 4, 2015, you indicated that prompt corrective action would be taken and that the Eisenhower Army Medical Center is committed to radiation safety and to compliance with NRC regulations and license conditions. You are required to respond to this letter and should follow the instructions specified in the enclosed Notice of Violation when preparing your response. The guidance in the enclosed Information Notice 96-28, "Suggested Guidance Relating to Development and Implementation of Corrective Action," may be helpful.

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.

COL J. Bojescul, M.D.

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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 Mr. Bermúdez at (404) 997-4734 if you have any questions regarding this matter.

Sincerely,

*/RA/*

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

Enclosures:  
Notice of Violation  
Information Notice 96-28

cc:  
MAJ Douglas Barrickman, Radiation Safety Officer

COL J. Bojescul, M.D.

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

Enclosures:  
Notice of Violation  
Information Notice 96-28

cc:  
MAJ Douglas Barrickman, Radiation Safety Officer

Distribution:  
B. Bickett, RI

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**SUNSI Review Complete:** HBermúdez

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OFFICE	DNMS/RI	N	DNMS/RI	DNMS/RI		
NAME	HBermúdez/jpd f/		JDwyer/jpd			
DATE	November 27, 2015		November 27, 2015			

OFFICIAL RECORD COPY

## **NOTICE OF VIOLATION**

Department of the Army  
Fort Gordon, GA

Docket No. 03011936  
License No. 10-12044-03

During an NRC inspection conducted on March 4 through October 5, 2015, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 20.1801 requires that the licensee secure from unauthorized removal or access licensed materials that are stored in controlled or unrestricted areas. 10 CFR 20.1802 requires that the licensee control and maintain constant surveillance of licensed material that is in a controlled or unrestricted area and that is not in storage.

Contrary to the above, on March 4, 2015, the licensee failed to secure from unauthorized access five sealed sources containing licensed materials at the licensee's PET laboratory. Four of the sources contained quantities less than ten times the quantity specified in 10 CFR 20, Appendix C, and one contained a quantity greater than 10 times but less than 100 times the quantity specified in 10 CFR 20, Appendix C.

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

Pursuant to the provisions of 10 CFR 2.201, Department of the Army 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 27th day of November 2015