

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1 LICENSEE LOCATION INSPECTED Oakland Physicians Medical Center d/b/a Doctors' Hospital of Michigan 461 West Huron Pontiac, MI 48341-1651 REPORT NUMBER(S) 2015-001		2 NRC/REGIONAL OFFICE Region III U. S. Nuclear Regulatory Commission 2443 Warrenville Road, Suite 210 Lisle, IL 60532-4352	
3 DOCKET NUMBER(S) 030-02060	4 LICENSE NUMBER(S) 21-06217-02	5 DATE(S) OF INSPECTION 07/21/15, with in-office review through 01/04/16	

LICENSEE:
The inspection was an examination of the activities conducted under your license as they relate to radiation safety and to compliance with the Nuclear Regulatory Commission (NRC) rules and regulations and the conditions of your license. The inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observations by the inspector. The inspection findings are as follows:

- 1 Based on the inspection findings, no violations were identified.
- 2 Previous violation(s) closed.
- 3 The violation(s), specifically described to you by the inspector as non-cited violations, are not being cited because they were self-identified non-repetitive, and corrective action was or is being taken, and the remaining criteria in the NRC Enforcement Policy, to exercise discretion, were satisfied.

Non-cited violation(s) were discussed involving the following requirement(s):
- 4 During this inspection, certain of your activities, as described below and/or attached, were in violation of NRC requirements and are being cited in accordance with NRC Enforcement Policy. This form is a NOTICE OF VIOLATION, which may be subject to posting in accordance with 10 CFR 19.11.
(Violations and Corrective Actions)

Contrary to 10 CFR 30.34(h), on July 22, 2015, the licensee failed to notify the appropriate NRC Regional Administrator, in writing, immediately following its filing of a voluntary petition for bankruptcy under chapter 11 of Title 11 of the United States Code.

As corrective action, on August 11, 2015 the licensee notified the appropriate NRC Regional Administrator in writing. The licensee also committed to notify the NRC of any changes in the status of the program during the bankruptcy proceedings.

EA-15-268

Statement of Corrective Actions

I hereby state that, within 30 days, the actions described by me to the Inspector will be taken to correct the violations identified. This statement of corrective actions is made in accordance with the requirements of 10 CFR 2.201 (corrective steps already taken, corrective steps which will be taken, date when full compliance will be achieved). I understand that no further written response to NRC will be required, unless specifically requested.

TITLE	PRINTED NAME	SIGNATURE	DATE
LICENSEE'S REPRESENTATIVE	John Panzocha		2/4/16
NRC INSPECTOR	Ryan Craffley / Navid Tehrani		2/1/16
BRANCH CHIEF	Aaron McCraw		2/4/16

Docket File Information

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6. INSPECTION PROCEDURES USED 87130		7. INSPECTION FOCUS AREAS All	

SUPPLEMENTAL INSPECTION INFORMATION

1. PROGRAM CODE(S) 02121	2. PRIORITY 5	3. LICENSEE CONTACT Venkat Rudraraju, MD - RSO	4. TELEPHONE NUMBER (248) 857-7200
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Main Office Inspection Next Inspection Date: No change

Field Office Inspection _____

Temporary Job Site Inspection _____

PROGRAM SCOPE

This was an unannounced special inspection of a hospital authorized to perform diagnostic administrations of radiopharmaceuticals at its facility in Port Huron, Michigan. The purpose of this inspection was to review the circumstances surrounding the abrupt change in Radiation Safety Officer and Authorized Users on April 1, 2015, after the hospital changed the radiology group with which it was affiliated. The inspectors conducted additional in-office review through September 24, 2015 to gather additional information regarding the personnel change, and also to review the hospital's filing for bankruptcy on July 22, 2015.

PERFORMANCE OBSERVATIONS: The inspectors toured the hospital's nuclear medicine department to evaluate the status of the licensee's radiation safety program. The inspectors found that the licensee continued to operate the nuclear medicine department safely and in accordance with NRC requirements, and that the licensee continued to retain the services of a medical physics consultant. The inspectors found that the licensee had appointed an individual from the new radiology group who met the definition of an Authorized User to serve both as the sole AU and temporary RSO, pending an amendment request to name that individual on the license as such. The licensee submitted all required documentation, including the incoming RSO's qualifications and written agreement to be responsible for implementing the radiation protection program, on April 29, 2015. The inspectors interviewed the licensee's staff regarding the change in personnel. The staff indicated that they felt comfortable with the incoming RSO's level of knowledge and availability.

During the period of in-office review, the inspectors learned that the licensee had filed a voluntary petition under Chapter 11 of the bankruptcy code on July 22, 2015. The inspectors contacted the licensee's staff and consultant, and found that the radiation safety program continued to function as before, and had not otherwise been affected by the filing. However, the inspectors did identify a violation of 10 CFR 30.34(h)(1) for failure to notify the NRC in writing of the filing, until prompted by the NRC. The inspectors determined that the root cause of the violation was a lack of understanding of regulatory requirements. As corrective action, on August 11, 2015 the licensee notified the appropriate NRC Regional Administrator in writing. The licensee also committed to notify the NRC of any changes in the status of the program during the bankruptcy proceedings. The inspectors conducted a telephonic exit meeting with the licensee on January 19, 2016.