



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION I
2100 RENAISSANCE BLVD., SUITE 100
KING OF PRUSSIA, PA 19406-2713

June 21, 2016

Docket No. 03037829
EA-16-059

License No. 52-31281-02

Myria Roque
Radiation Safety Officer and
Reviewing Official
Puerto Rico Medical Services
Administration
P.O. Box 2129
San Juan, Puerto Rico 00922-2129

SUBJECT: PUERTO RICO MEDICAL SERVICES ADMINISTRATION - NOTICE OF
VIOLATION - NRC INSPECTION REPORT NO. 03037829/2016002

Dear Ms. Roque:

This letter provides you the U.S. Nuclear Regulatory Commission's (NRC's) enforcement decision for apparent violations identified during a routine inspection conducted on January 28, 2016, with continued in-office review through April 22, 2016, at the Puerto Rico Medical Services Administration facility on the Centro Medico Campus in San Juan, Puerto Rico. In the April 26, 2016, letter transmitting the inspection report, we indicated that based on the results of the inspection, the NRC identified one or more apparent security-related violations which were being considered for escalated enforcement in accordance with the NRC Enforcement Policy. Because the apparent violation(s) involved security-related information, the inspection report is not publicly available.

In the letter, we also provided you an opportunity to address the apparent violation(s) by either attending a pre-decisional enforcement conference (PEC) or by providing a written response before we made our final enforcement decision. We also informed you that we had sufficient information regarding the apparent violation(s) and your corrective actions to make an enforcement decision without the need for a PEC. In a telephone call on May 11, 2016, you informed Ms. Penny Lanzisera, Senior Health Physicist, Medical Branch that Puerto Rico Medical Services Administration neither required a PEC nor intended to send a formal written response.

**Enclosure contains Sensitive
Unclassified Non-Safeguards
Information. Upon separation, this
cover letter is decontrolled.**

Based on the information developed during the inspection, the NRC has determined that one or more violations of NRC requirements occurred, and is (are) subject to escalated enforcement action. The violation(s) is (are) cited in a Notice of Violation enclosed in a non-publicly available version of this letter. The circumstances surrounding the violation(s) is (are) described in detail in the subject non-public inspection report.

In accordance with the NRC Enforcement Policy, a base civil penalty is considered for any escalated violation. However, because your facility has not been the subject of escalated enforcement action within either the last two years or the two most recent inspections, the NRC considered whether credit was warranted for Corrective Action in accordance with the civil penalty assessment process in Section 2.3.4 of the Enforcement Policy. The NRC has concluded that credit is warranted because Puerto Rico Medical Services Administration took prompt and comprehensive corrective actions and provided the status of the actions taken to address the apparent violation(s). The corrective actions were documented in the subject inspection report.

In recognition of these prompt and comprehensive corrective actions, I have been authorized, after consultation with the Director, Office of Enforcement, not to propose a civil penalty. However, significant violations in the future could result in a civil penalty. In addition, issuance of a Notice of Violation that includes escalated enforcement action may subject Puerto Rico Medical Services Administration to increased inspection effort.

The NRC has concluded that information regarding: (1) the reason for the violation(s); (2) the actions planned or already taken to correct the violation(s) and prevent recurrence; and, (3) the date when full compliance was achieved, is already adequately addressed on the docket in Inspection Report No. 03037829/2016002. Therefore, you are not required to respond to this letter unless the description therein 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 of Violation.

The material enclosed herewith contains Security-Related Information in accordance with 10 CFR 2.390(d)(1) and its disclosure to unauthorized individuals could present a security vulnerability. Therefore, the material in the enclosure will not be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> . If Security-Related Information is necessary to provide an acceptable response, please mark your

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M. Roque

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entire response Security-Related Information in accordance with 10 CFR 2.390(d)(1) and follow the instructions for withholding in 10 CFR 2.390(b)(1). In accordance with 10 CFR 2.390(b)(1)(ii), the NRC is waiving the affidavit requirements for your response.

Sincerely,

/RA/

Daniel H. Dorman
Regional Administrator

Enclosure:
Notice of Violation (non-public)

cc w/encl: Edwin Carrasquillo
Security Director

cc w/o encl: Commonwealth of Puerto Rico

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M. Roque

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Sincerely,

/RA/

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Security Director

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Distribution: see next page

DOCUMENT NAME: S:\Enf-allg\Enforcement\Proposed-Actions\Region1\NON-PUBLIC Puerto Rico Medical Services NOV-III EA-16-059Final.docx

Non-Public Designation Category: MD 3.4 Non-Public A.3 (A.3 - A.7 or B.1)

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NAME	Trapp/jmt*	Dorman/dhd*			
DATE	6/17/16	6/20/16			

*see previous concurrence OFFICIAL RECORD COPY

Letter to Myria Roque from Daniel Dorman dated June 21, 2016

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