

~~OFFICIAL USE ONLY – SECURITY-RELATED INFORMATION~~



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV
1600 E. LAMAR BLVD.
ARLINGTON, TX 76011-4511

August 22, 2016

Mr. Sean L. Nicholson
Chief Financial Officer
Gamma Knife Center of the Pacific
2226 Liliha Street, B1 Level
Honolulu, HI 96817

SUBJECT: NRC INSPECTION REPORT 030-34629/2016-001 AND NOTICE OF VIOLATION

Dear Mr. Nicholson:

This letter refers to the inspection conducted on June 22-23, 2016, at your facility in Honolulu, Hawaii, with continued in-office review through July 29, 2016, to review additional information provided after the inspection. The inspection was an examination of activities conducted under your license as they relate to safety and 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, observation of licensed activities, and interviews with you and your staff. The inspector discussed the preliminary inspection findings with you and your radiation safety officer at the conclusion of the onsite portion of the inspection on June 23, 2016. A final telephonic exit briefing was conducted with you on August 12, 2016.

Based on the results of this inspection, the NRC determined that two violations of NRC requirements occurred. The violations were evaluated in accordance with the NRC Enforcement Policy. The NRC Enforcement Policy can be found on the NRC's Web site at www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html. The violations involved security requirements found in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 37. The violations are being cited in the enclosed non-public Notice of Violation (Notice) because they were identified by the NRC during the inspection.

Title 10 CFR Part 37 incorporated requirements of the NRC's "Order Imposing Increased Controls," but also added new requirements. Previous inspections at your facility indicated that you were in compliance with the Increased Controls Order. The enclosed Notice identifies the additional requirement that you had not implemented at the time of the inspection. The NRC expects you to review your entire security program and ensure that it incorporates all of the requirements of 10 CFR Part 37.

You are required to respond to this letter in writing and should follow the instructions specified in the enclosed Notice when preparing your response. If you have additional information that you believe the NRC should consider, you may provide it in your response to the Notice. The NRC's review of your response to the Notice will also determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

The Enclosure contains Sensitive Unclassified Non-Safeguards Information.
When separated from the Enclosure, this letter is decontrolled.

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S. Nicholson

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The enclosed Notice contains Security-Related Information under 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 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>.

If Security-Related Information is necessary to provide an acceptable response, please mark your 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.

Should you have any questions regarding this letter or the enclosed Notice, please contact James Thompson at 817-200-1538 or the undersigned at 817-200-1191.

Sincerely,

/RA/

Ray L. Kellar, P.E., Chief
Nuclear Materials Safety Branch A
Division of Nuclear Materials Safety

Docket: 030-34629
License: 53-11966-02

Enclosure: Notice of Violation (Notice)

cc: Hawaii Radiation Control Program Director

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