



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

June 6, 2017

Joseph J. Corning, M.D.
Radiation Safety Officer
Middlesex Cardiology Associates, P.C.
420 Saybrook Road
Middletown, Connecticut 06457

**SUBJECT: NRC INSPECTION REPORT NO. 03028939/2017001, MIDDLESEX
CARDIOLOGY ASSOCIATES, P.C., MIDDLETOWN, CONNECTICUT,
MARLBOROUGH, CONNECTICUT, AND OLD SAYBROOK, CONNECTICUT,
AND NOTICE OF VIOLATION**

Dear Dr. Corning:

On May 17, 2017, Farrah Gaskins of this office conducted a safety inspection 420 Saybrook Road, Middletown, CT; 14 Jones Hollow Road, Marlborough, CT; and 51 Main Street, Old Saybrook, CT 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. Additional information provided in your documents attached to an email dated May 22, 2017 was also examined as part of the inspection. The findings of the inspection were discussed with you at the conclusion of the inspection on May 31, 2017.

Based on the results of this inspection, and in accordance with the NRC Enforcement Policy, the NRC has determined that one violations of NRC requirements occurred. The violation involved: the failure to perform a physical inventory of all sealed sources possessed.

The violation is cited in the enclosed Notice of Violation (Notice), because the violation was identified by the NRC. The NRC expects licensees to conduct their programs with meticulous attention to detail and high standards of safety and compliance. Because of the potential for radiation exposure to employees and the public which could result from failure to comply with NRC requirements, you must conduct your program according to NRC regulations, the conditions of your NRC license, and the representations made in your application.

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.

Current NRC regulations and guidance are included on the NRC's website at 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; 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 Farrah Gaskins at (610) 337-5143 if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to be 'JD' with a flourish extending to the right.

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

Docket No. 030-28939
License No. 06-23559-01

Enclosure:
Notice of Violation

cc w/Encl: State of Connecticut

NOTICE OF VIOLATION

Middlesex Cardiology Associates, P.C.
Middletown, Connecticut

Docket No. 030-28939
License No. 06-23559-01

During an NRC inspection conducted on May 17, 2017, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 35.67 (g) states, in part, that a licensee in possession of sealed sources shall conduct a physical inventory of all such sources in its possession and shall retain a record.

10 CFR 35.2067(b) states, in part, that a licensee shall retain records of the semiannual inventory and records must contain, the model number, of each source, serial number, radionuclide, activity, location, and individual that performed the inventory.

Contrary to the above, the licensee did not conduct a physical inventory and retain the record for all sealed sources in their possession at the Old Saybrook location. Specifically, in 2015 and 2016, the licensee possessed two Co-57 sources that were not documented in the semiannual physical inventory.

This is a Severity Level IV violation (Section 6.7).

Pursuant to the provisions of 10 CFR 2.201, Middlesex Cardiology Associates, P.C. 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.

Notice of Violation 2
Middlesex Cardiology Associates, P.C.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days of receipt.

Dated This 6 day of June 2017