



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION IV
1600 E. LAMAR BLVD.
ARLINGTON, TX 76011-4511

August 21, 2017

Mr. Todd Russell
Director of Medical Imaging & Radiation Oncology
Eastern Idaho Health Services, Inc.
dba Eastern Idaho Regional Medical Center
P. O. Box 2077
Idaho Falls, ID 83403

SUBJECT: NRC INSPECTION REPORT 030-32290/2017-001 AND NOTICE OF VIOLATION

Dear Mr. Russell:

This letter refers to the routine, unannounced inspection conducted on July 25, 2017, at your facilities in Idaho Falls, Idaho. The inspection was an examination of activities conducted under your license as they relate to public health and safety, to confirm compliance with the U.S. Nuclear Regulatory Commission's (NRC) rules, regulations, and with the conditions of your license. Within these areas, the inspection consisted of a selected examination of procedures and representative records, observation of licensed activities, independent radiation measurements, and interviews with personnel. The preliminary inspection findings were discussed with Doug Crabtree, Chief Executive Officer, Paula Cutler, Medical Imaging Manager, and you at the conclusion of the onsite portion of the inspection. A final telephonic exit briefing was conducted with you on August 7, 2017.

Based on the results of this inspection, the NRC has determined that one Severity Level IV violation of NRC requirements occurred. The violation was evaluated in accordance with the NRC Enforcement Policy, which can be found at the NRC's Web site at www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html. The violation is cited and described in the enclosed Notice of Violation (Notice). The violation involved the failure to have written directives dated and signed by an Authorized User (AU) prior to the administration of therapeutic doses of radiation from byproduct material. The violation is being cited in the enclosed Notice because it was identified by the NRC during the inspection.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The guidance in NRC Information Notice 96-28, "Suggested Guidance Relating to Development and Implementation of Corrective Action," may be helpful in preparing your response. You can find the Information Notice on the NRC website at: <http://pbadupws.nrc.gov/docs/ML0612/ML061240509.pdf>. Information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence, and the date when full compliance will be (was) achieved should be addressed. The NRC will review your response to the Notice to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

To the extent possible, your response should not include any personal privacy or proprietary information so that it can be made available to the Public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such information, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by Title 10 of the *Code of Federal Regulations* (CFR) 2.390(b) to support a request for withholding confidential commercial or financial information).

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," 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's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Should you have any questions regarding this letter or the enclosed Notice, please contact James Thompson at 817-200-1538 or the undersigned at 817-200-1455.

Sincerely,

/RA/

Vivian H. Campbell, Chief
Materials Licensing and Inspection Branch
Division of Nuclear Materials Safety

Docket: 030-32290
License: 11-27346-01

Enclosure:
Notice of Violation (Notice)

cc w/Enclosure: M. Dietrich, State of Idaho

NRC INSPECTION REPORT 030-32290/2017-001 AND NOTICE OF VIOLATION - DATED AUGUST 21, 2017.

DISTRIBUTION:

S. Morris, DRA:RIV
 M. Shaffer, D:DNMS
 L. Howell, DD:DNMS
 R4DNMS_MLIB

ADAMS ACCESSION NUMBER: ML17220A150

Cover Letter (w/ Enclosure) X SUNSI Review by: JLT		ADAMS X Yes <input type="checkbox"/> No	X Publicly Available <input type="checkbox"/> Non-Publicly Available	X Non-Sensitive <input type="checkbox"/> Sensitive	Keyword: N/A
OFFICE	RIV:MLIB	RIV:C:MLIB			
NAME	JLThompson	VHCampbell			
SIGNATURE	/RA/	/RA/			
DATE	8/8/2017	08/21/17			

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

Eastern Idaho Health Services, Inc.
dba Eastern Idaho Regional Medical Center
Idaho Falls, Idaho

Docket No. 030-32290
License No. 11-27346-01

During an NRC inspection conducted on July 25, 2017, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 35.40(a) requires, in part, that a written directive must be dated and signed by an Authorized User before the administration of any therapeutic dose of radiation from byproduct material.

Contrary to the above, on May 25, 2017, the licensee failed to have a written directive dated and signed by an Authorized User prior to the administration of a therapeutic dose of radiation from byproduct material. Specifically, for a skin treatment using a Valencia applicator, a written directive was not dated and signed by an Authorized User prior to this administration of a therapeutic dose of radiation from an iridium-192 sealed source in a high dose rate remote afterloader unit. This was the only time that this applicator was used for this type of treatment, and represented an isolated failure to have written directives dated and signed by an Authorized User prior to the administration of a therapeutic dose of radiation from byproduct material.

This is a Severity Level IV Violation (Section 6.3.d)

Pursuant to the provisions of 10 CFR 2.201, Eastern Idaho Health Services, Inc., is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, with a copy to the Regional Administrator, Region IV, 1600 E. Lamar Blvd., Arlington, Texas 76011, 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: (1) the reason for the violation, or, if contested, the basis for disputing the violation or severity level; (2) the corrective steps that have been taken and the results achieved; (3) the corrective steps that will be taken; 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 requiring information 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, with the basis for your denial, to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

Your response will be made available electronically for public inspection in the NRC Public Document Room or in the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy or proprietary information so that it can be made available to the public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a

Enclosure

redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information).

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

Dated this 21st day of August 2017