

NRC FORM 691M PART 1 (07-2012) 10 CFR 2.201		U.S. NUCLEAR REGULATORY COMMISSION	
SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION			
1. LICENSEE/LOCATION INSPECTED: Daviss Community Hospital 1314 East Walnut Washington, IN 47501 REPORT NUMBER(S) 2017001		2. NRC/REGIONAL OFFICE Region III U. S. Nuclear Regulatory Commission 2443 Warrenville Road, Suite 210 Lisle, IL 60532-4352	
3. DOCKET NUMBER(S) 030-10475	4. LICENSE NUMBER(S) 13-16138-01	5. DATE(S) OF INSPECTION October 31, 2017	

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):

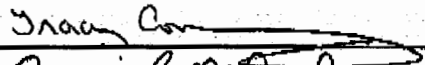


- 4. During this inspection, certain of your activities, as described below and/or attached, were in violation of NRC requirements and are being cited in accordance with NRC Enforcement Policy. This form is a NOTICE OF VIOLATION, which may be subject to posting in accordance with 10 CFR 19.11.
(Violations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

Contrary to Title 10, Code of Federal Regulations (CFR) 71.5, and 49 CFR 172.702, as of October 31, 2017, the licensee failed to provide recurrent training, as required by 49 CFR 172.704(c), for its hazmat employees that satisfied the requirements in Subpart H to 49 CFR 171.8. Specifically, the licensee's nuclear medicine technologist, a hazmat employee, had not been provided recurrent hazmat training since the time of this individual's initial training, and as of this date, this exceeded the recurrent hazmat training requirement of every three years, as specified by 49 CFR 172.704(c)(2), for this individual.

The cause of the violation was that the licensee was not aware of the recurrent training requirement. As corrective action, the licensee committed to ensuring that its nuclear medicine technologist complete the required recurrent hazmat training within 30 days of the inspection date. The licensee is fully aware of the requirement to provide hazmat training every three years, and will add this training schedule to its calendar.

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	Tracy Conway (CEO)		11/16/17
NRC INSPECTOR	Dennis P. O'Dowd		11/16/17
BRANCH CHIEF	Aaron T. McCraw		11/16/17

Docket File Information

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

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6. INSPECTION PROCEDURES USED 87131	7. INSPECTION FOCUS AREAS 3.01-3.07
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SUPPLEMENTAL INSPECTION INFORMATION

1. PROGRAM CODE(S) 02120	2. PRIORITY 3	3. LICENSEE CONTACT Jonathon Berger, M.D., RSO	4. TELEPHONE NUMBER (812) 251-6797
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Main Office Inspection Next Inspection Date: 10/31/2020
 Field Office Inspection _____
 Temporary Job Site Inspection _____

PROGRAM SCOPE

This was a routine inspection of a small 60-bed community hospital authorized for 35.100, 35.200, and 35.300 materials and uses, and prepackaged kits authorized under 31.11. The licensee employed one full-time nuclear medicine technologist (NMT). Approximately 15 studies per week are performed, Monday-Friday. Studies included cardiac, bone, HIDA, lung (using Tc-99m; no Xe-133 is used), and whole body scans (using I-123). The licensee utilized unit doses from a local nuclear pharmacy, and received 100 mCi of bulk Tc-99m for emergency studies daily. The licensee performed approximately one thyroid therapy treatment monthly using I-131 (<30 mCi, in capsule form only). All waste was held for decay or returned to the nuclear pharmacy. Program audits were conducted semi-annually by the RSO with the assistance of a medical physics consultant.

Performance Observations

The inspector toured the licensee's nuclear medicine facilities. All radioactive material was properly secured from unauthorized access. The inspector observed one diagnostic administrations of licensed material, including dose preparation and disposal. Licensee staff discussed/demonstrated dose calibrator daily constancy checks, package receipt, daily and weekly contamination surveys and wipes, with no issues identified. Interviews of staff indicated an adequate knowledge of radiation safety and emergency response procedures. Surveys meters were appropriately calibrated. The inspector noted that staff were wearing appropriate dosimetry. Dosimetry records reviewed for the previous years since the last inspection through YTD 2017 indicated whole body and extremity exposures <10% of the annual regulatory limits. Independent measurement taken within the imaging suite with a Ludlum Model 2403 survey meter with a Ludlum Model 44-9 energy compensated G-M detector (calibrated on 2/24/17) indicated doses well below the regulatory limits for members of the public. The inspector was able to close out a previous SLIV violation, concerning security and control of material, and confirmed that the licensee's corrective actions were appropriate and effective. Specifically, the licensee installed a keypad lock on the door to the stress room. For additional security and control, the licensee also enclosed the hot lab area with walls, and a keypad lock installed on the hot lab door.

(cont'd. on next page)

Docket File Information

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PROGRAM SCOPE

(cont'd. from previous page)

During the inspection, the inspector identified a violation of 10 CFR 71.5 and 49 CFR 172, in that the employer had not provided recurrent DOT hazmat training to its nuclear medicine technologist within the past three years. The violation and the licensee's corrective actions are described in Part 1. The licensee committed to completing the DOT hazmat training for its staff member within two weeks. The inspector determined that the root cause of the violation was a lack of understanding of the regulatory requirement.



FACSIMILE TRANSMITTAL SHEET

TO: Dennis P. O'Dowd	FROM: Ethan Penn Daviess Community Hospital
COMPANY: NRC	DATE: 11-16-17
FAX NUMBER: 630-515-1259	TOTAL NO. OF PAGES INCLUDING COVER: 2
PHONE NUMBER:	SENDER'S FAX NUMBER: 812-254-8825 8625
RE:	SENDER'S PHONE NUMBER: 812-254-8851

- URGENT
 FOR REVIEW
 PLEASE COMMENT
 PLEASE REPLY
 PLEASE RECYCLE

NOTES/COMMENTS:

Confidentiality Notice:

The documents accompanying this telecopy transmission have been disclosed from records whose confidentiality is protected by State statute. State Regulations limit your right to make any further disclosures of this information without the prior written consent of the Patient/client to whom it pertains. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are notified that any disclosures, copying, distribution or the taking of any action in reliance on the contents of this telecopied information is not permissible. If you have received this telecopy in error, please immediately notify us by telephone at the number above to arrange for destruction of the documents.

Thank you.

O'Dowd, Dennis

From: O'Dowd, Dennis
Sent: Thursday, November 16, 2017 1:33 PM
To: 'bergerjon2127@gmail.com'
Cc: 'Ethan K. Penn'
Subject: FW: Transmittal of NRC Form 591M (Part 1) "Safety Inspection Report and Compliance Inspection" for Licensee's Name, Signature, and Date
Attachments: Daviess Hospital NRC Form 591M Inspection Report (10-31-2017).pdf

Jonathan Berger, M.D., Radiation Safety Officer
Daviess Community Hospital
1314 E. Walnut
Washington, Indiana 47501

Dear Dr. Berger:

Please find attached Form 591M (Part 1), "Safety Inspection Report and Compliance Inspection," signed by me and Aaron T. McCraw, Chief, Materials Inspection Branch, Division of Nuclear Materials Safety, U.S. Nuclear Regulatory Commission (NRC), Region III, issued in response to our recent inspection of your licensed program.

As you are aware, on October 31, 2017, the NRC conducted a routine inspection at your facility in Washington, Indiana. The purpose of the inspection was to review activities performed under your NRC license to ensure that activities were being performed in accordance with NRC requirements. An exit meeting was conducted with you (telephonically) and your nuclear medicine technologist, Mr. Ethan Penn, on October 31, 2017, to discuss the inspection findings. The enclosed Form 591M (Part 1) inspection report presents the results of the inspection.

During this inspection, the NRC staff examined activities conducted under your license related to public health and safety. Additionally, the staff examined your compliance with the Commission's rules and regulations as well as the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, interviews with personnel, and independent measurements.

Based on the results of this inspection, the NRC has determined that a Severity Level IV violation of NRC requirements occurred. The violation was evaluated in accordance with the NRC Enforcement Policy. The NRC is citing the violation in the enclosed Form 591M because the inspector identified violation. The NRC has concluded that 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 achieved is already adequately addressed in the narrative on the form, and therefore, no further response is requested.

At this time, we request that a member of senior executive management date and sign his/her name in the signature block of the attached NRC Form 591M in the row "Licensee's Representative," (please include the official's printed name in the appropriate block), scan the signed and dated document, and return it to me either via email, or via fax to (630) 515-1259 (addressed to my attention), so that we can include it in your official license record.

Should you have any questions regarding this or any other related matter, please feel free to contact me. Thank you for your cooperation during this inspection.

Dennis P. O'Dowd
Health Physicist
Materials Inspection Branch
Division of Nuclear Materials Safety
U.S. Nuclear Regulatory Commission

2443 Warrenville Road
Lisle, IL 60532
dennis.o'dowd@nrc.gov
630.829.9573 (office)
630.515.1078 (fax)



Cc: Ethan Penn