



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**  
REGION I  
2100 RENAISSANCE BLVD.  
KING OF PRUSSIA, PA 19406-2713

May 14, 2018

EA-18-040

Pedro Benetti, Administrator  
Hospital Andres Grillasca  
2213 Ponce By-pass  
Ponce, PR 00717-1318

**SUBJECT: HOSPITAL ANDRES GRILLASCA, EXERCISE OF ENFORCEMENT  
DISCRETION, INSPECTION NO. 2018001**

Dear Mr. Benetti:

Under separate cover, you received Amendment No. 16, terminating License No. 52-11832-02 as requested by the certificate of disposition of materials dated March 14, 2018 (ML18087A383). The termination was issued in accordance with the requirements of the applicable NRC Termination Rule in 10 CFR 30.36. An environmental assessment for this action was not required, since this action is categorically excluded under 10 CFR 51.22(c)(14).

Additionally, during an inspection of your facility on February 15, 2018, one apparent violation was identified for the failure to notify the NRC when no principal activities had been conducted for a period of 24 months. This action had been held in abeyance pending the termination of the license.

Specifically, Title 10 of the Code of Federal Regulations 30.36(d)(3) requires licensees to notify the NRC within 60 days when no principal activities have been conducted for a period of 24 months. As identified by the NRC inspector, Hospital Andres Grillasca had not conducted principal activities since February 4, 2012. Consequently, the licensee should have notified the NRC by April 4, 2014, that they had not conducted principal activities and should have begun decommissioning activities.

This violation would normally be assessed at Severity Level IV in accordance with the NRC Enforcement Policy (Section 6.3). However, after consultation with the Director of the NRC's Office of Enforcement and the Regional Administrator of this office, I have been authorized to exercise enforcement discretion in accordance with Section 3.5 of the Enforcement Policy, "Violations Involving Special Circumstances," and not issue a violation. The NRC's decision is based on your proper transfer and disposal of the sealed sources on July 26, 2017, and your agreement to terminate your NRC license. No further action or response is necessary on your part. However, should Hospital Andres Grillasca apply for another NRC license in the future, you may be asked to address the reason for this violation and your actions to prevent reoccurrence.

P. Benetti

In accordance with 10 CFR 2.390, a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the NRC's Agency wide Documents Access and Management System (ADAMS), accessible from the NRC Web Site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions, you may contact Shawn Seeley of my staff at (610) 337-5102, or via electronic mail at [shawn.seeley@nrc.gov](mailto:shawn.seeley@nrc.gov).

Thank you for your cooperation.

Sincerely,

*/RA/*

James Trapp, Director  
Division of Nuclear Materials Safety  
Region I

License No. 52-11832-02  
Docket No. 03034175  
Inspection No. 2018001

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If you have any questions, you may contact Shawn Seeley of my staff at (610) 337-5102, or via electronic mail at [shawn.seeley@nrc.gov](mailto:shawn.seeley@nrc.gov).

Thank you for your cooperation.

Sincerely,

*/RA/*

James Trapp, Director  
Division of Nuclear Materials Safety  
Region I

License No. 52-11832-02  
Docket No. 03034175  
Inspection No. 2018001

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**SUNSI Review Complete:** SSeeley

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