

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

| | | | |
|---|---|--|--|
| 1. LICENSEE/LOCATION INSPECTED: Mountaineer Cardiovascular Care, Inc. (MCC) 1830 Harper Road Beckley, WV 25801 REPORT NUMBER(S) 2018001 | | 2. NRC/REGIONAL OFFICE U.S. Nuclear Regulatory Commission Region I, 2100 Renaissance Blvd, Suite 100 King of Prussia, Pennsylvania 19406-2713 | |
| 3. DOCKET NUMBER(S) 030-39086 | 4. LICENSE NUMBER(S) 47-35463-01 | 5. DATE(S) OF INSPECTION October 2 with in office review and exit October 29, 2018 | |

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) and corrective action(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 the 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)

1. 10 CFR 19.12 requires in part that all workers who are likely to receive in a year an occupational dose in excess of 100 mrem (1 mSv) shall be instructed in the health protection problems associated with exposure to radiation and/or radioactive material, in precautions or procedures to minimize exposure, and in the purposes and functions of protective devices employed.
(Continued to the next page)

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 | Getachew T. Zeleke | <i>Getachew T. Zeleke</i> | 10/29/18 |
| NRC INSPECTOR | Robin Elliott | <i>Robin Elliott</i> | 10/29/18 |
| BRANCH CHIEF | Donna M. Janda | <i>Donna M. Janda</i> | 10/29/18 |

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

| | | | |
|---|---|--|--|
| 1. LICENSEE/LOCATION INSPECTED; Mountaineer Cardiovascular Care, Inc. 1830 Harper Road Beckley, WV 25801 REPORT NUMBER(S) 2018001 | | 2. NRC/REGIONAL OFFICE U.S. Nuclear Regulatory Commission Region I, 2100 Renaissance Blvd, Suite 100 King of Prussia, Pennsylvania 19406-2713 | |
| 3. DOCKET NUMBER(S) 030-39086 | 4. LICENSE NUMBER(S) 47-35463-01 | 5. DATE(S) OF INSPECTION October 2 with in office review and exit October 29, 2018 | |

(Continued)

Contrary to the above, from September 25, 2018 to October 12, 2018, Mountaineer Cardiovascular Care, Inc. (MCC) did not instruct an individual who is likely to receive, in a year, an occupational dose in excess of 100 mrem (1 mSv) in the health protection problems associated with exposure to radiation and/or radioactive material, in precautions or procedures to minimize exposure, and in purposes and functions of protective devices. Specifically, the NRC identified that a Nuclear Medicine Technologist working for the licensee did not receive the training.

This is a Severity Level IV violation, NRC Enforcement Policy Section 6.7

2. License Condition 14 of License No. 47-35463-01 requires, in part, that the licensee shall conduct its program in accordance with statements, representations, and procedures contained in the application dated December 11, 2017, (ADAMS Accession No.: ML17360A096).

The application dated December 11, 2017, states, in part, that MCC has developed and will implement and maintain written waste disposal procedures for licensed materials. MCC's written waste disposal procedures state that waste will be held for 10 half-lives and then surveyed for assurance of background measurements. In addition, it states that the radioactive material container will be labeled with type of radioactive material and date of closing. The procedures included a log sheet for tracking waste in storage for decay where date stored and survey results are recorded.

Contrary to the above, on occasions between June 8, 2018, and October 2, 2018, MCC did not conduct its program in accordance with statements, representations and procedures contained in the application dated December 11, 2017, in that MCC did not properly implement a written waste disposal procedure for licensed materials. Specifically, MCC stored waste behind the L-block and not in a radioactive material container labelled with the type of radioactive material and date of closing. In addition, the log sheet for tracking the waste storage date and survey results had not been completed.

This is a Severity Level IV violation, NRC Enforcement Policy Section 6.3.

CORRECTIVE ACTIONS:

1. The licensee provided training and documentation of the radiation safety training given to the NMT on October 12, 2018.
2. The licensee provided documentation that the NMT was trained in the proper waste disposal procedures on October 12, 2018.