



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

December 14, 2018

Kimberly A. Kalajainen  
Vice President, Ancillary & Support Services  
Lawrence & Memorial Hospital  
365 Montauk Avenue  
New London, CT 06320-4769

SUBJECT: LAWRENCE & MEMORIAL HOSPITAL - NRC INSPECTION NO.  
03001275/2018001 AND NOTICE OF VIOLATION

Dear Mrs. Kalajainen:

This letter refers to the inspection conducted on October 17-18, 2018 at your New London and Waterford, Connecticut facilities. This inspection examined activities conducted under your license as they relate to public health and safety, and to confirm compliance with the Commission's rules and regulations and with the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews with personnel. A telephonic exit was conducted with you and others of your staff on November 21, 2018.

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. The current Enforcement Policy is included on the NRC's Web site at <https://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violation is cited in the enclosed Notice of Violation (Notice) because the violation was identified by the NRC.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. If you have additional information that you believe the NRC should consider, you may provide it in your response to the Notice. The NRC review of your response to the Notice will also determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and your response, if you choose to provide one, 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 Web site 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.

If you have any questions regarding this matter, please contact Farrah Gaskins of my staff at (610) 337-5143 or via electronic mail at [Farrah.Gaskins@nrc.gov](mailto:Farrah.Gaskins@nrc.gov).

Thank you for your cooperation.

Sincerely,

***/RA/***

Donna M. Janda, Chief  
Medical and Licensing Assistance Branch  
Division of Nuclear Materials Safety  
Region I

Docket No. 03001275  
License No. 06-09261-01

Enclosure:  
Notice of Violation

cc w/ enclosure  
Michael Lairmore, Radiation Safety Officer  
State of Connecticut

LAWRENCE & MEMORIAL HOSPITAL - NRC INSPECTION NO. 03001275/2018001 AND  
NOTICE OF VIOLATION DATED DECEMBER 14, 2018

DISTRIBUTION:

B. Bickett

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## **NOTICE OF VIOLATION**

Lawrence & Memorial Hospital  
New London, Connecticut

Docket No. 03001275  
License No. 06-09261-01

During an NRC inspection conducted on October 17-18, 2018, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 30.34(b)(1) requires that no license issued or granted pursuant to the regulations in this part and parts 31 through 36, and 39 nor any right under a license shall be transferred, assigned or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of any license to any person, unless the Commission shall, after securing full information, find that the transfer is in accordance with the provisions of the Act and shall give its consent in writing.

Contrary to the above, in 2016, Lawrence & Memorial Hospital completed an indirect transfer of control of the NRC radioactive materials license to another entity before the Commission found that the transfer was in accordance with the provisions of the Act and gave its consent in writing. Specifically, Lawrence & Memorial Hospital joined Yale New Haven Health Services Corporation as a member substitution without notification and prior to receiving a consent in writing from the Commission.

This is a Severity Level IV violation (Enforcement Policy Example 6.3.d.7).

Pursuant to the provisions of 10 CFR 2.201 Lawrence & Memorial Hospital 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.

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

Dated This \_14th\_ day of December 2018