



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV
1600 EAST LAMAR BOULEVARD
ARLINGTON, TEXAS 76011-4511

March 14, 2019

Tea T. Shi, M.S.
Radiation Safety Officer
Portneuf Medical Center
777 Hospital Lane
Pocatello, ID 83201

SUBJECT: NRC INSPECTION 030-32325/2019-001 AND NOTICE OF VIOLATION

Dear Mr. Shi:

This letter refers to the unannounced inspection conducted on February 11, 2019, at your facilities in Pocatello, 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's) rules, regulations, and with the conditions of your license. Within these areas, the inspection consisted of observations of activities, independent radiation surveys, and interviews with personnel. The preliminary inspection findings were discussed with you at the conclusion of the onsite portion of the inspection on February 11, 2019. A final telephonic exit briefing was conducted with you on March 5, 2019.

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, which can be found at the NRC's Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violation is cited and described in the enclosed Notice of Violation (Notice) because it was identified by the NRC during the inspection. The violation involved the failure to have an authorized user date and sign a written directive before the administration of iodine-131 sodium iodine greater than 30 microcuries. Although the individual that dated and signed the single written directive was not an authorized user on the NRC license for Portneuf Medical Center, based on a preliminary review of the amendment request dated February 25, 2019, the individual was qualified at the time of administration to be authorized for this activity.

The NRC has concluded that information regarding: (1) the reason for the violation; (2) the corrective actions that have been taken and the results achieved; and (3) the date when full compliance was achieved is already adequately addressed on the docket in an amendment request dated February 25, 2019, requesting the physician to be added as an authorized user to the NRC license. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

Based on the results of this inspection, the NRC has also determined that one additional Severity Level IV violation of NRC requirements occurred. Because Portneuf Medical Center

identified and corrected this violation, and the violation is not repetitive, this violation is being treated as a Non-Cited Violation (NCV), consistent with Section 2.3.2 of the NRC's Enforcement Policy. The NCV involved the failure to prescribe an activity for a written directive involving iodine-131. Although the hospital maintained a written protocol for a standard activity to be used in this type of imaging procedure, and that the activity ordered and administered was in accordance with this written protocol, the written directive was still required by 10 CFR 35.40 to specifically document the activity intended for the administration.

If you contest the violation or significance of the NCV, you should provide a response within 30 days of the date of this inspection report, with the basis for your denial, to the Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington DC 20555-0001, with copies to: (1) the Regional Administrator, Region IV; and (2) the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

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, should you choose to provide one, 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 Jason vonEhr at 817-200-1186, or the undersigned at 817-200-1455.

Sincerely,

/RA/

Patricia A. Silva, Chief
Materials Licensing and Inspection Branch
Division of Nuclear Materials Safety

Docket: 030-32325
License: 11-27384-01

Enclosure:
Notice of Violation (Notice)

cc:
Kerry L. Martin, Manager
Idaho Dept. of Environmental Quality

NRC INSPECTION REPORT 030-32325/2019-001 - DATED March 14, 2019

DISTRIBUTION:

- M. Shaffer, DRA
- T. Pruett, D/DNMS
- L. Howell, DD/DNMS
- R4DNMS_MLIB
- R. Erickson, SAO/DNMS
- J. Cook, SAO/DNMS
- B. Maier, SLO/ORA

ADAMS ACCESSION NUMBER:

X SUNSI Review

By: JEV

ADAMS:

X Yes No

Non-Publicly Available

X Publicly Available

X Non-Sensitive

Sensitive

Keyword:

NRC-002

OFFICE	DNMS:MLIB	DNMS:C:MLIB				
NAME	JEvonEhr	PASilva				
SIGNATURE	/RA/	/RA/				
DATE	3/5/19	3/14/19				

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

Portneuf Medical Center
Pocatello, ID

Docket No. 030-32325
License No. 11-27384-01

During an NRC inspection conducted on February 11, 2018, 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 I-131 sodium iodide greater than 1.11 megabecquerels (30 microcuries)

Contrary to the above, on December 10, 2018, the licensee failed to ensure that a written directive was dated and signed by an authorized user before the administration of I-131 sodium iodide greater than 1.11 megabecquerels (30 microcuries). Specifically, in a single instance on December 10, 2018, a written directive for an administration of 5 millicuries of I-131 sodium iodide was dated and signed by an individual that was not authorized under license 11-27384-01 as an authorized user for any medical use of radioactive material.

This is a Severity Level IV violation (NRC Enforcement Policy Section 6.3.d)

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 was achieved, is already adequately addressed on the docket in a letter dated February 25, 2019, requesting an amendment to your NRC license to add the physician in question to the license as an authorized user.

However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation," and send it 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 East Lamar Blvd., Arlington, Texas 76011-4511 within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

If you choose to respond, 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>. Therefore, to the extent possible, the response should not include any personal privacy or proprietary information so that it can be made available to the Public without redaction.

In accordance with 10 CFR 19.11, you may be required to post this Notice within 2 working days of receipt.

Dated this 14th of March 2019

Enclosure