



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

April 17, 2019

Dyma Williams
Acting Chief Executive Officer
Governor Juan F. Luis Hospital and Medical Center
4007 Estate Diamond Ruby
St. Croix, United States Virgin Islands 00820

SUBJECT: NRC INSPECTION REPORT NO. 03035612/2018001, GOVERNOR JUAN F. LUIS HOSPITAL AND MEDICAL CENTER, ST. CROIX, UNITED STATES VIRGIN ISLANDS

Dear Ms. Williams,

On September 17, 2018, Leonardo Wardrobe of this office conducted a safety inspection at the above address of activities authorized by the listed NRC license. The inspection was an examination of your licensed activities as they relate to radiation safety and to compliance with the Commission's regulations and the license conditions. The inspection consisted of observations by the inspector, interviews with personnel, and a selective examination of representative records. The findings of the inspection were discussed with Dr. Angelo Galiber of your organization at the conclusion of the inspection on April 2, 2019.

Based on the results of this inspection and in accordance with the NRC Enforcement Policy, the NRC has determined that one violation of NRC requirements occurred. The violation involved the failure to perform a semi-annual physical inventory of all sealed sources in your possession.

The violation is cited in the enclosed Notice of Violation (Notice), because the violation was identified by the NRC. The NRC expects licensees to conduct their programs with meticulous attention to detail and high standards of safety and compliance. Because of the potential for radiation exposure to employees and the public which could result from failure to comply with NRC requirements, you must conduct your program according to NRC regulations, the conditions of your NRC license, and the representations made in your application.

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, its enclosure, and your response, 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.

Current NRC regulations and guidance are included on the NRC's Web Site at www.nrc.gov; select **Nuclear Materials; Med, Ind, & Academic Uses**; then **Regulations, Guidance and Communications**. The current Enforcement Policy is included on the NRC's Web Site at www.nrc.gov; select **About NRC, Organizations & Functions; Office of Enforcement; Enforcement documents**; then **Enforcement Policy (Under 'Related Information')**. You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 8:00 a.m. to 5:30 p.m. EST, Monday through Friday (except Federal holidays).

The NRC's Safety Culture Policy Statement became effective in June 2011. While a policy statement and not a regulation, it sets forth the agency's *expectations* for individuals and organizations to establish and maintain a positive safety culture. You can access the policy statement and supporting material that may benefit your organization on NRC's safety culture Web Site at: <http://www.nrc.gov/about-nrc/safety-culture.html>. We strongly encourage you to review this material and adapt it to your particular needs in order to develop and maintain a positive safety culture as you engage in NRC-regulated activities.

If you have any questions regarding this matter, please contact Leonardo Wardrobe of my staff at (610) 337-5171 or via electronic mail at leonardo.wardrobe@nrc.gov.

Thank you for your cooperation.

Sincerely,

/RA/

Donna Janda, Chief
Medical and Licensing Assistant Branch
Division of Nuclear Materials Safety
Region I

Docket No. 03035612
License No. 55-25547-01

Enclosure:
Notice of Violation

cc w/Enclosure: United States Virgin Islands

NRC INSPECTION REPORT NO. 03035612/2018001, GOVERNOR JUAN F. LUIS HOSPITAL AND MEDICAL CENTER, ST. CROIX, UNITED STATES VIRGIN ISLANDS, DATED April 17, 2019

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NOTICE OF VIOLATION

Governor Juan F. Luis Hospital and Medical Center
St. Croix, United States Virgin Islands

Docket No. 030-36512
License No. 55-25547-01

During an NRC inspection conducted on September 17, 2018 and April 2, 2019, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 35.67(g) states in part that a licensee in possession of sealed sources or brachytherapy sources, except for gamma stereotactic radiosurgery sources, shall conduct a semi-annual physical inventory of all such sources in its possession.

Contrary to the above, as of September 17, 2018, the licensee failed to conduct semi-annual physical inventories of all such sources its possession. Specifically, the licensee did not perform semi-annual physical inventories of dose calibrator and instrument check sources in its possession, since the last inspection on September 14, 2016.

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

Pursuant to the provisions of 10 CFR 2.201, Governor Juan F. Luis Hospital and Medical Center 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.

Notice of Violation

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Governor Juan F. Luis Hospital and Medical Center

Dated This 17th day of April 2019