

NOV. 02 1989

Docket No. 030-02435
EA 89-193

License No. 29-01423-01

United Hospitals of Newark
ATTN: Francis E. Blackman, M.D.
Vice President of Medical Affairs
c/o President's Office
15 South Ninth Street
Newark, New Jersey 07107

Gentlemen:

Subject: Routine Inspection No. 030-02435/88-001

On May 25, 1988, Mrs. Teresa Hall Darden of this office conducted a routine safety inspection at the above address of activities authorized by the above 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. In addition, our inspection examined the activities covered in your correspondence dated December 14, 1984. During the inspection, apparent violations of NRC requirements were identified which were discussed with you and other members of your staff at the conclusion of the inspection. The apparent violations are described in the inspection report which is enclosed.

Subsequent to this inspection, the NRC Office of Investigations (OI) conducted an inquiry into apparent falsification of records at your facility. Based on the investigation, the NRC found, as described in the enclosed synopsis of the OI investigation, that a Nuclear Medicine Technologist (NMT) falsified the records of required daily dose calibrator constancy tests. The NMT admitted to NRC investigators that, on several occasions, she did not perform the tests but merely recorded a number in the Daily Constancy Record book. This constitutes an additional, and more serious, violation of NRC requirements.

As discussed during the telephone conversation on October 25, 1989 between you and Lee Bettenhausen of the Region I office, the apparent violations will be discussed at an Enforcement Conference at our office in King of Prussia, Pennsylvania at 10:30 a.m., November 14, 1989. We understand that you will attend this meeting with members of your staff. At the Enforcement Conference, you should be prepared to discuss (1) the apparent violations, their cause(s), and safety significance and your corrective actions; (2) any errors in the NRC inspection and investigation reports; (3) any other information that the NRC should consider in determining the appropriate enforcement actions; (4) the reasons why your consultant and management failed to identify the falsified records; and (5) any deficiencies in the working conditions at your facility which contributed to the falsification. Enforcement action for these violations will be sent to you by separate correspondence following the Conference. The NRC Enforcement Policy is described in Appendix C of 10 CFR Part 2, a copy of which is enclosed for your information.

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United Hospitals of Newark

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and the enclosures will be placed in the Public Document Room.

No response to this letter is required.

Your cooperation with us is appreciated.

Sincerely,

Original Signed By:
James H. Joyner

for Malcolm R. Knapp, Director
Division of Radiation Safety
and Safeguards

Enclosures:

1. Inspection Report No. 030-02435/88-001
2. Synopsis of NRC Investigation Report No. 1-88-010
3. 10 CFR Part 2
4. Directions to NRC Region I Office

cc w/encl:

Public Document Room (PDR)
Nuclear Safety Information Center (NSIC)
State of New Jersey

bcc w/encl:

Region I Docket Room (w/concurrences)
Management Assistant, DRMA
J. Lieberman, OE
J. Goldberg, OGC
R. Cunningham, NMSS
T. Darden, RI
D. Holody, RI
K. Christopher, RI

RI:DRSS
Darden/bc

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Shanbaky

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Bettenhausen

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Knapp

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