

OCT 20 1989

In Reply Refer To:  
License: 49-13636-01  
Docket: 30-03502/89-01

DePaul Hospital  
ATTN: Manuel Ortiz, President  
2600 East 18th Street  
Cheyenne, Wyoming 82001

Gentlemen:

Thank you for your letter of September 19, 1989, in response to our letter and the attached Notice of Violation both dated August 31, 1989. We have reviewed your reply and find it responsive to the concerns raised in our Notice of Violation. We will review the implementation of your corrective actions during a future inspection to determine whether full compliance has been achieved and will be maintained.

As a result of the documentation included with your response pertaining to personnel training, the second violation identified in the Notice of Violation has been rescinded.

Sincerely,

*Original Signed By:*

**A. B. BEACH**

A. Bill Beach, Director  
Division of Radiation Safety  
and Safeguards

cc:  
Wyoming Radiation Control Program Director

bcc w/copy of licensee letter:  
DMB - Original (IE-07)  
RDMartin  
ABBeach  
LAYandell  
LShea, RM/ALF (AR-2015)  
\*CLCain  
\*RJEverett  
\*WLHolley  
\*NMSB  
\*MIS System  
\*RIV Files (2)  
\*RSTS Operator

\*with Modified 766

C:NMIS  
CLCain  
10/18/89

*ABBeach*  
10/20/89

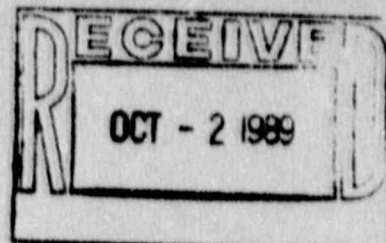
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REG4 LIC30  
49-13636-01 PDC

IE-07  
1/1



# DePaul Hospital

Office of the President



September 19, 1989

Mr. William L. Fisher  
Nuclear Regulatory Commission  
Nuclear Materials Safety Branch  
Region IV  
611 Ryan Plaza Drive, Suite 1000  
Arlington, TX 76001

Reference: Docket - 30-03502/89-01  
License - 49-13636-01

Dear Mr. Fisher:

This is in response to your August 31, 1989, letter forwarding a Notice of Violation which resulted from the July 25, 1989, radiation safety inspection.

According to the needs of the response requested of DePaul Radiology, this letter will document each violation in order as presented in your letter.

1. 10 CFR 35.22 (b) (6), Review annually the radiation safety program by the Radiation Safety Officer.
  - A. Practice in the past was to have the contracted physicist check the ALARA report on a monthly basis. The Radiation Safety Officer checked the ALARA reports at the quarterly Rad. Isotopes meeting. This was done and documented.
  - B. At this time, all 3 years in arrears for annual review have been upgraded to a yearly presentation. They have been submitted to the Radiation Safety Officer for review. He has initialed each report showing his review.
  - C. Following this upgrade, the Radiation Safety Officer will annually review all radiation safety records. The documentation previously incomplete has been upgraded. It will be documented monthly when the reports are filed and at the end of the year they will be tabulated and submitted to the Radiation Sfaety Officer for his annual review.
  - D. This upgrade was implemented August 24, 1989.

MEMBER, SISTERS OF CHARITY OF LEAVENWORTH HEALTH SERVICES CORPORATION

2600 EAST 18TH STREET CHEYENNE, WYOMING 82001 (307)632-6411

IC-89-642

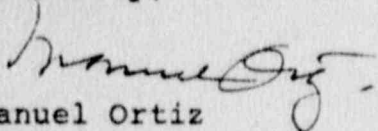
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IE07

Mr. William L. Fisher  
Nuclear Regulatory Commission  
September 19, 1989  
Page 2

2. License Condition 13, Attachment 5, Item 12
  - A. Compliance with this condition has been maintained. Complete documentation is attached. (Paperwork was not available in Radiology Department at time of survey).
  - B. Corrective steps taken are to maintain records of all inservices in both the Education Department and the Radiology Department.
  - C. To avoid further violations, the Radiology Department will participate in new employee orientation monthly to insure that all employees, upon hiring, are educated in and understand all the implications of radiation safety. This will insure continuing education for all employees who may come in contact with the Nuclear Medical Department. Documentation will be implemented as well and maintained in Radiology Department. These same steps will be taken for present employees at their reorientation.
  - D. Full compliance will be achieved October 10, 1989.
3. 10 CFR 35.120 and 35.220
  - A. In the license that we now hold, it states that we must have a survey meter in the range of 0.1 millirem per hour to 50 millirem. Since the recent addendum change in the DePaul license, all new requirements from the NRC are to be added. The change now requires a survey meter that has a range of 0.1 millirem per hour to 100 millirem.
  - B. The corrective measure for the violation is completed. A survey meter from Nuclear Medical Consulting Firm was ordered on August 15, 1989. It is due to be delivered by September 30, 1989.
  - C. Until the new survey meter arrives, DePaul has made arrangements with the Wyoming State Disaster and Civil Defense agency for a survey meter that meets the requirements stipulated by the NRC.
  - D. The borrowed meter was on site as of July 2, 1989.

Sincerely,



Manuel Ortiz  
President

MO/mbh

Enclosures  
Radiation Safety Program Outline  
Inservice Attendance Records

DePAUL HOSPITAL  
CHEYENNE, WYOMING

IN-SERVICE PROGRAMS

DEPARTMENT Radiology

DATE 12/13/88

TITLE OF PROGRAM Radiation Safety

Gwen O'Brian Radiology Dir.  
INSTRUCTOR Chuck Farley  
Wyo State Director & Civil Defense Co

METHOD OF  
PRESENTATION Lecture/Video

LENGTH OF TIME OF  
PRESENTATION 45-60 Minutes

PROGRAM OBJECTIVES:

To present statistics on radiation disasters  
To review hospital policy and procedures

1. Relating to radiation safety

OUTLINE OF PROGRAM:

Film on radiation spill

Review of 1. Handling radiation accident

2. Recognition of contamination
3. Dangers of contamination
4. Who and how to notify in cases of contamination
5. Protocols on receiving and delivery of Nuclear medicine products

Question and answer period

EVALUATION ACCORDING TO FORMS COMPLETED BY PARTICIPANTS:

Good  
Attendance: 60

9/81  
REV 8/86

CE-#5

DEPARTMENT Volunteer Services

PROGRAM Residence Emergency

DATE 12/13/88

NAME

NAME

Theodor Anderson

**Radiology**

DEPARTMENT \_\_\_\_\_

PROGRAM Radiation Emergency Inservice

DATE 12/13/88

NAME

NAME

*Shirley Miller*

*Margaret Kestey*

*Pat Hancock*

*Keith D. Hinkley*

*Ewen O'Brien*

Nursing Service

DEPARTMENT

PROGRAM Radiation Emergency Inservice

DATE

12-13-88

NAME

NAME

Judy Staple RN

Phyllis O'Connor RN

Cindy Nelli NSO

Stacy Carter R.

Franklin P+FC

Amy Jaraczski RN

Dottie Herbert, N.S.O.

P. Hambricht R.N

Nita Boas

Len Rowland RN

Nancy Cowan

Sara Lanier

Alan Zumbach

Betty Seltzer

Michelle Beasley

Flossie Vance

Laundry

DEPARTMENT

PROGRAM Radiation Emergency Inservice

DATE 12/13/88

NAME

NAME

Louella Outcross

Francis Melvin

Judith E. Fisher

Fern Salas

Kate Melvin

Anthony Bator

Mark Dutton



Environmental Services

DEPARTMENT

PROGRAM Radiation Emergency Inservice

DATE 12/13/88

NAME

NAME

Kathy Owens

Chas McQuinn

Amida Villalpando

Ruth Ferris

DIANA Esquivel

Helen Ellis

Gennie Ruiz

Flores Vance

Peds

Maria Simental

Coral Vitely

Catherine Bridges

DeVonne Jahn

E. S.

Theresa Werner

E. S.

Ante Franca Cruz

E. S.

**Education**

DEPARTMENT

PROGRAM Radiation Emergency Inservice

DATE 12/13/88

NAME

NAME

NAME	NAME
<i>Diana Dillinger</i>	

Engineering

DEPARTMENT

PROGRAM Radiation Emergency Inservice

DATE 12/13/88

NAME

NAME

Joni Wegner

Ralph E. Howard

Voyt Pehr

Gary Harkness

John J. Smith

Len J. ...

Lee Sanchez

Administration

DEPARTMENT

PROGRAM Radiation Emergency Inservice

DATE 12/13/88

NAME

NAME

*Peggy Caldwell*  
*Dr. Catherine Louise Lehart*

**Business office**

DEPARTMENT

DATE 12-13-88

PROGRAM Radiation Emergency Inservice

NAME

NAME

*Celia Bluntzsky*

*Pam Ballard*

*Jelene Brewster*

*Tris Cordova*

*Cynthia Tangelink*

*Debi Johnson*

*Jack Peterson*



AUG 31 1989

In Reply Refer To:  
Docket: 30-03502/89-01  
License: 49-13636-01

DePaul Hospital  
Department of Radiology  
ATTN: Manuel Ortiz, President  
2600 East 18th Street  
Cheyenne, Wyoming 82001

Gentlemen:

This refers to the routine, unannounced radiation safety inspection conducted by Mr. Wesley Holley of this office on July 25, 1989, of activities authorized by NRC Byproduct Material License 49-13636-01, and to the discussion of our findings held by the inspector with you at the conclusion of the inspection.

The inspection was an examination of the activities conducted under the license as they relate to radiation safety and to compliance with the Commission's rules and regulations, and the conditions of the license. The inspection consisted of selective examinations of procedures and representative records, interviews of personnel, independent measurements, and observations by the inspector.

During this inspection, it was found that certain of your activities were in violation of NRC requirements. Consequently, you are required to respond to these violations, in writing, in accordance with the provisions of Section 2.201 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations. Your response should be based on the specifics contained in the Notice of Violation enclosed with this letter.

The response directed by this letter and the accompanying Notice is not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

Should you have any questions concerning this inspection, we will be pleased to discuss them with you.

Sincerely,  
**Original Signed By:**  
**William L. Fisher**  
William L. Fisher, Chief  
Nuclear Materials Safety Branch

Enclosure:  
Appendix - Notice of Violation

cc:  
Wyoming Radiation Control Program Director

bcc: (see next page)

RIV:NMIS~~ac~~  
WHLolley:lm  
8/30/89

C:NMIS~~ac~~  
CLCain  
8/30/89

C:NMSB<sup>124</sup>  
WLFisher  
8/30/89

IE-07

8909130013 2pp

DePaul Hospital

-2-

bcc:

DMB - Original (IE-07)

RDMartin

ABBeach

REHall

WLFisher

LShea, RM/ALF (AR-2015)

\*CLCain

\*RJEverett

\*WLHolley

\*NMSB

\*MIS System

\*RIV Files (2)

\*RSTS Operator

\*W/766



APPENDIX

NOTICE OF VIOLATION

DePaul Hospital  
Cheyenne, Wyoming

Docket: 30-03502/89-01  
License: 49-13636-01

During an NRC inspection conducted on July 25, 1989, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1989) (Enforcement Policy), the violations are listed below:

1. 10 CFR 35.22(b)(6) requires the Radiation Safety Committee (RSC) with the assistance of the Radiation Safety Officer to review annually the licensee's radiation safety program.

Contrary to the above, the inspector determined that the licensee's RSC did not perform an annual review of the radiation safety program during 1986, 1987, and 1988.

This is a Severity Level IV violation. (Supplement VI)

2. License Condition 13 states, in part, that the license is based on the licensee's statements and representations in the application dated January 10, 1986.

Attachment 5, Item 12, of License Condition 13.A requires, in part, that all personnel coming into contact with radioactive material will be instructed on radiation safety procedures pertaining to these materials and the training will include annual presentations.

Contrary to the above, the inspector determined the licensee had not presented annual training on radiation safety procedures to hospital personnel during 1986, 1987, and 1988.

This is a Severity Level IV violation. (Supplement VI)

3. 10 CFR 35.120 and 35.220 requires, in part, that the licensee have in its possession a portable radiation detection survey instrument capable of detecting dose rates over the range 0.1 millirem per hour to 100 millirem per hour.

Contrary to the above, the inspector determined that the licensee's portable radiation detection survey instrument, Atomic Products Model 69-701, Serial Number 974, was only capable of detecting dose rates over the range 0.1 millirem per hour to 50 millirem per hour.

This is a Severity Level IV violation. (Supplement VI)

Pursuant to the provisions of 10 CFR 2.201, DePaul Hospital is hereby required to submit to this office, within 30 days of the date of the letter transmitting this Notice, a written statement or explanation in reply, including for each violation: (1) the reason for the violation if admitted, (2) the corrective steps which have been taken and the results achieved, (3) the corrective steps which will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending the response time.

Dated at Arlington, Texas,  
this 31st day of August 1989



**INSPECTOR'S REPORT**  
 (Continuation)  
 Office of Inspection and Enforcement

BUCKET NO. (8 digits) OR LICENSE NO. (BY PRODUCT) (12 digits)		REPORT		MODULE NUMBER		DATE	
03003502		NO	BSC	578711001			
		8901	A	VIOLATION SEVERITY OR DEVIATION		BYE RELATED	MP.
			B	1	2	3	4
			C				
			D				
					X		
							6

VIOLATION OR DEVIATION (Enter up to 2400 characters for each item. If the text exceeds this number, it will be necessary to paraphrase. Limit lines to 80 characters each.)

- 1 *Contrary to LC 13, the licensee*
- 2 *did not present to the hospital staff*
- 3 *the required annual radiation safety*
- 4 *re-training.*
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NRC FORM 49-A  
1-81  
16 MC 6888

**INSPECTOR'S REPORT**  
(Continuation)  
Office of Inspection and Enforcement

BUCKET NO. (IF DIFFERENT FROM LICENSE NO.) (BY PRODUCT) (IF DIFFERENT)		REPORT NO.		MODULE NUMBER	DATE	
03003502		1901	A	5/17/10	DATE	SUP.
VIOLATION SEVERITY OR DEVIATION				DATE		SUP.
A				1 2 3 4 5 6		A C
B				A		B D
C						
D						6

VIOLATION OR DEVIATION (Enter up to 400 characters for each item. If the text exceeds this number, it will be necessary to paraphrase. Limit time to 60 characters each.)

1 Contrary to 10CFR 35.27, the licensee's  
 2 RSC did not perform a radiation safety  
 3 program review for 1986, 1987, & 1988.

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NRC Form NSR-A  
(Rev. 1-87)  
16 MC 8026

**INSPECTOR'S REPORT**  
(Continuation)  
Office of Inspection and Enforcement

BUCKET NO. (IF APPLICABLE) OR LICENSE NO. (BY PRODUCT) (15 C.F.R.)		REPORT		MODULE NUMBER		DATE	
03007502		NO	8901	5771/10101		DATE	
				VIOLATION, BREACH, OR DEVIATION		DATE	
				1 2 3 4 5 6 7 8 9 10		DATE	
				A		DATE	
				B		DATE	
				C		DATE	
				D		DATE	

VIOLATION OR DEVIATION (If not, use to add characters for each item. If the text exceeds this number, it will be necessary to paraphrase. Limit space to 20 characters each.)

1 Contrary to 10CFR 75.120 & 75.230, the  
 2 licensee did not possess a portable  
 3 radiation detection survey instrument that  
 4 was capable of detecting dose rates over the  
 5 range 0.1 millirem per hour to 100 millirem  
 6 per hour.