

DMB  
DES

NOV 24 1982

30-2700

License No. 34-02176-01  
EA 82-125

St. Elizabeth Medical Center  
ATTN: Thomas A. Beckett  
Chief Executive Officer  
601 Miami Boulevard, West  
Dayton, OH 45408

DESIGNATED ORIGINAL  
Certified By Don Henderson

Gentlemen:

This refers to a special safety inspection conducted by Ms. E. Matson, Ms. P. Whiston, and Mr. J. R. Mullauer of our staff on September 30 and October 1, 1982, of activities authorized by NRC Byproduct Material License No. 34-02176-01. The results of the inspection were discussed on October 14, 1982, during an enforcement conference in the Region III Office between you, Mr. J. Belanich, Ms. R. M. Suerdieck, and Mr. D. Young of your staff and Mr. A. B. Davis and others of the NRC staff.

The inspection showed, among other things, that the licensee's management failed to assure that licensed radioactive material was used according to proper radiation protection procedures and that licensed radioactive material in storage was secured as required. We are specifically concerned that hospital employees and members of the general public were permitted to enter a restricted area where sealed sources were stored and not secured from unauthorized removal during an open house on June 6, 1982.

We are also concerned that the duties and responsibilities of the Radiation Safety Officer (RSO) have been assigned to several individuals, and the violations identified during this inspection indicate to us that these duties have not been carried out in an organized or comprehensive manner. We believe this is a major contributing cause of the weakness in your radiation safety program management. Therefore, in your response to this letter, please describe what actions you will take to define the duties and responsibilities of the RSO and what steps management will take to assure that these duties and responsibilities are carried out.

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

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NOV 24 1982

To emphasize the importance of this matter and the need to ensure implementation of effective management control over your licensed program, we propose to impose civil penalties for the items set forth in the Notice of Violation which is enclosed with this letter. The violations in the Notice have been categorized at the severity levels described in the NRC Enforcement Policy published in the Federal Register, 47 FR 9987 (March 9, 1982). The base value for each of the two Severity Level III violations is \$2,000. The failure to report the loss or theft of licensed radioactive material on a timely basis has the same significance as the lack of control which resulted in the loss or theft. After consultation with the Director of the Office of Inspection and Enforcement, I have been authorized to issue the enclosed Notice of Violation and Proposed Imposition of a Civil Penalty in the cumulative amount of Four Thousand Dollars.

You are required to respond to this letter and should follow the instructions in the Notice when preparing your response. You should give particular attention to those actions that will be taken by management to ensure compliance with NRC requirements. Your reply to this letter and the results of future inspections will be considered in determining whether further enforcement action is appropriate.

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 enclosure will be placed in the NRC Public Document Room.

The responses directed by this letter and the enclosed Notice are 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.

Sincerely,

Original signed by  
James G. Keppler

James G. Keppler  
Regional Administrator

Enclosure:  
Notice of Violation and Proposed  
Imposition of Civil Penalties

cc w/encl:  
DMB/Document Control Desk (RIDS)

IE:ES

ELD

RIII

ES:D

IE:DD

IE:D

Flack/sv  
11/22/82

Lieberman

WVS  
Schultz  
11-22-82

Axelrad  
Keppler

Snieszek  
Dobis

DeYoung

theft of licensed radioactive material on a timely basis has the same significance as the lack of control which resulted in the loss or theft. After consultation with the Director of the Office of Inspection and Enforcement, I have been authorized to issue the enclosed Notice of Violation and Proposed Imposition of a Civil Penalty in the cumulative amount of Four Thousand Dollars.

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Sincerely,

James G. Keppler  
Regional Administrator

Enclosure:  
Notice of Violation and Proposed  
Imposition of Civil Penalties

<i>zwb</i>	ELD concurrence by Lillian Cuoco	RTH conurrence by WSchultz			
IE:ES for	ELD	RIII	ES: <i>jd</i>	IE: <i>jd</i>	IE: <i>jd</i>
EFlack	JLieberman	WSchultz	JAxelrad	JSchlegel	RDYoung
11/17/82	11/17/82	11/17/82	11/17/82	11/19/82	11/19/82
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