



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

MAY 02 1990

Docket No. 030-12150  
License No. 13-17073-01  
EA 90-072

Porter Memorial Hospital  
ATTN: Mr. Wiley N. Carr  
Administrator and Chief  
Executive Officer  
814 LaPorte Avenue  
Valparaiso, Indiana 46383

Gentlemen:

SUBJECT: CONFIRMATORY ORDER SUSPENDING BRACHYTHERAPY ACTIVITIES AND MODIFYING  
LICENSE (EFFECTIVE IMMEDIATELY)

On April 5, 18, and 27, 1990, the NRC Region III Office inspected your brachytherapy program. On April 25, 1990, an Enforcement Conference was conducted at the Region III office with your staff and one of your authorized users to discuss our inspection findings. Our inspection and Enforcement Conference confirmed that your Radiation Safety Committee and Radiation Safety Officer did not have appropriate controls in place over your brachytherapy program, lacked knowledge of NRC and license requirements, and did not exercise adequate oversight over your program to ensure that brachytherapy was administered safely and in compliance with NRC regulations, or to determine whether misadministrations of licensed material occurred.

The enclosed Confirmatory Order is being issued to confirm your commitment to suspend your brachytherapy program, authorized by NRC License No. 13-17073-01, at Porter Memorial Hospital, Valparaiso, Indiana, and to require an independent evaluation of brachytherapy procedures performed under your license to ensure that misadministrations did not occur.

As we indicated during a telephone conversation with you on April 27, 1990, this Order formalizes the agreements set forth in a Confirmatory Action Letter (CAL) issued on April 27, 1990. The issuance of this Order does not preclude the NRC from considering and taking further enforcement action for the apparent violations that led the NRC to issue this Order. The NRC's inquiry into the circumstances surrounding this matter is continuing.

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

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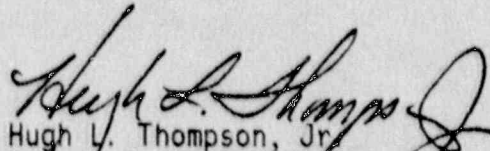
Porter Memorial Hospital

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In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and the enclosure will be placed in the NRC's Public Document Room.

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

Sincerely,



Hugh L. Thompson, Jr.  
Deputy Executive Director for  
Nuclear Materials Safety, Safeguards,  
and Operations Support

Enclosure: As stated

cc w/enclosure:  
Porter Memorial Hospital  
Authorized Users  
St. Mary Medical Centers  
Indiana State Board  
of Health  
J. P. Clousson, Esq.  
H. Welsh, Esq.