

MAR 29 1993

Docket No. 030-32493  
EA 93-006

License No. 29-28685-01

Radiation Oncology Center at Marlton  
ATTN: Carolyn Horowitz, M.D., Ph.D.  
Medical Director and RSO  
750 Route 73 South  
Willow Ridge Suite 401  
Marlton, New Jersey 08053

Dear Dr. Horowitz:

Subject: Routine NRC Inspection No. 030-32493/93-001

On February 2 and 4, 1993, Pamela Henderson and David Mann 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, the Commission's regulations, and the license conditions. This on site inspection was followed by numerous telephone discussions conducted by the inspectors with you and members of your staff as well as a review, by Neelam Bhalla, Diplomate American Board of Radiology, of my staff, of the patient treatment information you submitted on February 9 and 12, 1993 in response to the Confirmatory Action Letter (CAL) dated February 5, 1993. The results of this inspection were discussed with you during a telephone conversation on March 11, 1993.

Areas examined during this inspection are described in the NRC Region I inspection report which is enclosed with this letter (Enclosure 1). As described in this report, the inspectors identified numerous violations of NRC regulations and the license conditions which occurred because of your lack of knowledge of these requirements and your failure to discharge your licensed responsibilities as Radiation Safety Officer. The NRC is especially concerned with the lack of knowledge demonstrated by you and your staff in the routine and emergency operation of your high dose rate remote afterloader device (HDR) and associated safety systems. Because of this concern, the NRC issued the CAL which confirmed your commitment to not obtain any sources of radioactive material authorized under your license until specifically authorized in writing by the Director, Division of Radiation Safety and Safeguards, U.S. NRC, Region I. Further, the NRC issued a Confirmatory Order on March 9, 1993 which modified your license and required you to maintain any NRC licensed material that you possess in a locked, stored, and shielded condition; and to not receive any NRC licensed material.

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The apparent violations described in the inspection report are being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), 10 CFR Part 2, Appendix C (1992) (Enclosure 2). Accordingly, no Notice of Violation presently is being issued for these inspection findings. Please be advised that the number and characterization of apparent violations described in the enclosed inspection report may change as a result of further NRC review. You will be advised of our determination in this matter by separate correspondence.

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 Public Document Room.

Your cooperation with us is appreciated.

Sincerely,

Original Signed By:  
Richard W. Cooper, II

Richard W. Cooper, II, Director  
Division of Radiation Safety  
and Safeguards

Enclosures:

1. NRC Inspection Report 030-32493/93-001
2. Appendix C of 10 CFR Part 2

cc:

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

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bcc:

Region I Docket Room (w/concurrences)

R. Cooper, RI

R. Bellamy, RI

D. Holody, RI

K. Smith, RI

J. Dwyer, RI

D. Mann, RI

P. Henderson, RI

N. Bhalla, RI

J. Glenn, NMSS

S. Lewis, OGC

J. Lieberman, OE

B. Letts, OI

CONCURRENCE  
DETAILED VERBALLY  
RI: EO FOR  
D. HOLODY DH  
3/25/93

CONCURRENCE  
DETAILED VERBALLY  
RI: RC FOR  
K. SMITH KS  
3/25/93

RI:DRSS

Bhalla/GMP

3/22/93

RI:DRSS

Mann

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RI:DRSS

Henderson

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Bellamy

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Lens

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Cooper

3/24/93

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B5.404(a) survey

Do NOT concern  
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violations