

NOV 28 1990

License: 35-16717-01  
Docket: 30-11681/90-02  
EA No.: 90-191

Newman Memorial Hospital  
ATTN: Gary Mitchell  
Interim Administrator  
919 South Main Street  
Shattuck, Oklahoma 73858

Gentlemen:

This refers to the enforcement conference held at the request of NRC on November 14, 1990. This meeting related to the activities authorized by NRC Byproduct Material License 35-16717-01. This letter also acknowledges our receipt of your letters dated October 18 and November 12, 1990, documenting the radiation safety officer's (RSO) review of the circumstances related to Newman Memorial Hospital's (NMH) transfer of licensed material to a patient on October 5, 1990, and proposing to suspend licensed activities. As noted in the enclosed Enforcement Conference Summary, the RSO's investigation and proposed corrective actions were discussed during the conference and no further response regarding his investigation is required at this time.

The subjects discussed during the meeting are described in the aforementioned Enforcement Conference Summary. As reviewed with you during the enforcement conference, we believe the findings of this inspection to be significant in that they represent a continued lack of adequate management controls necessary to ensure that the risk of unnecessary radiation exposure to NMH staff and members of the general public is kept to a minimum. This was evidenced in the incident which prompted the inspection, a situation where an individual was permitted to use licensed material without having received fundamental training regarding NRC regulations applicable to such use. As a result, several violations of NRC requirements occurred.

We believe that NMH's actions taken in response to the inspection findings, including the suspension of licensed activities, to be a significant step toward ensuring that these or other violations do not occur until further corrective measures can be implemented. Although your proposed corrective actions have not been fully implemented at this time, we are encouraged by the fact that both management and the RSO have focused greater attention to the radiation safety program and licensed activities. As indicated in the Summary, we will notify you subsequently of the enforcement action to be taken by NRC.

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

\*RIV:NMSIS  
LLKasner:nh  
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C:NMSIS *CLC*  
CLCain  
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*cl* D:NMSIS  
ABB *Beach*  
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\*Previously Concurred

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

Sincerely,

*Original Signed By:*

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

Enclosure:  
Appendix - Enforcement Conference Summary  
w/attachment

cc w/enclosure:  
Oklahoma Radiation Control Program Director

bcc:  
DMB - Original (IE-07)  
RDMartin  
ABBeach  
LAYandell  
MRodriguez, OC/LFDCB (4503)  
WLFisher  
CLCain  
LLKasner  
NMSIS  
MIS System  
RIV Files (2)  
RSTS Operator  
REHall (URFO)