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LIC# 47-21163-01

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James F. Heitzenrater, Administrator

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November 11, 1993

Stewart D. Ebnetter
Regional Administrator
NRC Region II
101 Marietta Street, NW
Suite 2900
Atlanta, Georgia 30323

Dear Mr. Ebnetter:

This letter is in response to your "Demand for Information" dated October 15, 1993, and received in my office October 18, 1993.

Your request for information is divided into two parts:

A. State why, in light of the events detailed above, the NRC should have confidence that the licensee and its contractors and employees, including the current Hospital Administrator and the current Radiation Safety Officer, will comply with the requirement in 10 CFR 30.9 to provide NRC with information that is complete and accurate in all material respects.

B. Describe the licensee's plans to ensure that current and future employees 1) are made aware of their obligation to provide complete and accurate information to NRC and 2) are made aware that they are free to provide information to NRC and raise safety issues associated with NRC licensed activities without fear of retaliation.

It is not and has never been the intent of the Administrator or the Radiation Safety Officer to hide or deceive the NRC inspector or to violate any rules and regulations of the NRC.

In reviewing the "Demand for Information" Section II, the generator was moved because the key to the hot lab was not readily available. This was a result of the transition from a full time Nuclear Medicine Technician, to a part time Technician, back to a newly hired Nuclear Medicine Tech who had not yet started work.

The generator was not improperly stored in the Nuclear Medicine room but was in the locked secured room, awaiting pick-up. It was felt that the inspector, not an employee of Potomac Valley Hospital, would not be the proper person to supervise the generator while he was working in the room during the inspection.

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Yes, we have never hidden the fact that the key was not available; however, the key was located immediately by a phone call from the Administrator to the past full time and then part-time tech. This issue has now been resolved in that the location of the hot lab key has been given to the Radiation Safety Officer.

In order not to violate supervision rules for generators, it was felt that it could be supervised by a Potomac Valley Hospital employee in the Respiratory Therapy Department. The key was found and the generator was then moved to the hot lab.

The generator was moved but not with the intent of hiding it from the inspector but for proper supervision. It must be reiterated that the spent generator, in the locked Nuclear Medicine room, is NOT improperly stored by the Rules and Regulations.

Even though we feel very strongly that NO violations were committed, the following plan is submitted to reassure our honest, helpful, and sincere intent to develop trust in the operations at Potomac Valley Hospital:

1. Have the employees in the Radiology Department elect a person to serve on the Radiation Safety Committee.
2. The employees also elect a different employee to serve on the Hospital Wide Safety Committee.
3. The NRC conduct a yearly surprise inspection for the next three (3) years vs. the current every two (2) years.
4. During the surprise inspection, the investigator should interview the employees.
5. The physician consultant shall conduct an inservice for all employees of the Radiology and Nuclear Medicine Departments. Subjects covered:
 - A) Educate the employees on the handling of the nuclear generator.
 - B) Reporting of incidents - to whom, how to report, and what to report.
6. A letter from the Radiation Safety Officer and the Administrator to the employees in Radiology and Nuclear Medicine, that no retaliation and reprisal would occur if they were to report an incident.

No threats of retaliation have been made to employees in the past and none will be made in the future.

This document is submitted by the Administrator for both the Radiation Safety Officer, who is out of the country at the current time on vacation, and the Administrator. The above is submitted as factual and trustful. The signature below has been notarized.

Sincerely,

James F. Heitzenroter
James F. Heitzenroter
Administrator

cc. Director, Office of Enforcement
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

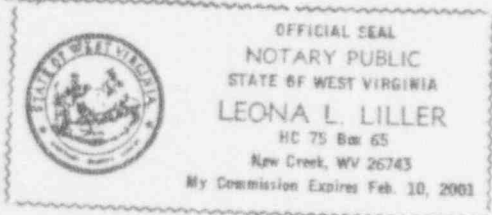
Assistant General Counsel for Hearings
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Harold McBee, President
Board of Directors of Potomac Valley Hospital

State of West Virginia
County of Mineral

Sworn before me this 12th day of November 1993

Leona L. Liller



NOTE: The spent generator was packed and ready to be returned.