

JUL 28 1982

Docket No. 30-15235

License No. 20-19027-01

St. Luke's Hospital of Middleborough
ATTN: Mr. Peter Brown
Executive Director
52 Oak Street
Middleboro, Massachusetts 02346

Gentlemen:

Subject: Inspection No. 82-01

This refers to the routine safety inspection conducted by Dr. L. F. Friedman of this office on June 9, 1982 of activities authorized by NRC Inspection No. 20-19027-01 and to the discussions of our findings held by Dr. Friedman with yourself and Dr. R. C. Williams at the conclusion of the inspection.

The inspection was an examination of activities conducted under your license as they relate to radiation safety and to compliance with the Commission's rules and regulations and the conditions of your license. The inspection consisted of selective examinations of procedures and representative records, interviews with personnel, measurements made by the inspector, and observations by the inspector.

Based on the results of this inspection, it appears that certain of your activities were not conducted in full compliance with NRC requirements, as set forth in the Notice of Violation, enclosed herewith as Appendix A. These violations have been categorized by severity level in accordance with the NRC Enforcement Policy (10 CFR 2, Appendix C) published in the Federal Register Notice (47 FR 9987) dated March 9, 1982. You are required to respond to this letter and in preparing your response, you should follow the instructions in Appendix A.

Item A described in the attached Notice of Violation, involving control of licensed material, is classified as a Severity Level IV violation. As indicated in Supplement IV of the NRC Enforcement Policy, significant violations of this type are normally classified as Severity Level III. However, after careful consideration of the factors involved in this specific instance, including the fact that the impact on the health and safety of the public was minimal and remote since removal of the unsecured material by unauthorized individuals was unlikely, we have exercised our judgment under the NRC Enforcement Policy and have classified this violation as Severity Level IV. Similar violations of this type in the future may result in additional enforcement action.

The responses directed by this letter and the accompanying 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.

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 your reply will be placed in the Public Document Room.

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Your cooperation with us in this matter is appreciated.

Sincerely,

Original Signed By:

for JAMES JOYNER
 Thomas T. Martin, Director
 Division of Engineering and Technical
 Programs

Enclosure: Appendix A, Notice of Violation

cc:
 Public Document Room (PDR)
 Nuclear Safety Information Center (NSIC)
 Commonwealth of Massachusetts (2)

bcc:
 Region I Docket Room (with concurrences)
 Chief, Operational Support Section (w/o encl)
 J. Lieberman, IE
 D. Holody, RI

for *Kinneman*
 RI:DETP
 Friedman
 7/09/82

Kinneman
 RI:DETP
 Kinneman/ntm
 7/20/82

Carlson *Joyner*
 RI:EI RI:DETP
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