



DeBore
ST. NICHOLAS HOSPITAL

Where The Future Begins

January 10, 1994

Mr. B. J. Holt, Chief
Materials Inspection
Section 1
United States Nuclear Regulatory Commission
Region III
799 Roosevelt Road
Glenn Elley, Illinois 60137

Dear Mr. Holt:

Reply to Notice of Violation

We are replying to the severity Level IV violation to our license 48-17547-01. This license was issued on June 23, 1993.

The notice of violation which we received indicated we did not test the dose calibrator for linearity during specific times in 1991, 1992, and 1993. In addition, the linearity test performed on July 21, 1993 did not cover the appropriate range.

Reason for the Violation

Although there were five linearity tests for the dose calibrator performed in 1991, they were not performed in the specified quarterly patterns. The tests were not performed appropriately because we had a resignation of our nuclear medicine technologist. This made it necessary for us to use temporary staffing from an outside staffing agency. We were not aware that the technologist failed to perform the test in a timely manner.

The occurrences in 1993 were again due to staffing situations. The first quarter test was scheduled to be performed by a technologist who was to start his employment with us in mid-March but decided not to join the hospital one week before his arrival. We therefore had to obtain coverage quickly for the department and once again turned to the temporary staffing agencies. Once coverage was provided by them, the test was then performed.

These occurrences of non-compliance are obviously troubling to us, but were very unfortunate situations. By no means was our intent deliberate.

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1601 North Taylor Drive, Sheboygan, WI 53081-2496
Telephone 414-459-8300
An Affiliate of Hospital Sisters Health System

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Corrective Steps

Since the spring of 1993, we have employed qualified nuclear medicine technologists and the tests have been performed and will continue to be performed in the quarterly pattern. In order to avoid any further difficulties, we have contracted with our consulting service to perform the tests on a quarterly basis if we are unable to do so because of changes in staff.

Data of Full Compliance

As demonstrated above, we are now in full compliance with the Nuclear Regulatory Commission requirements. Thank you for allowing us to address these issues. As stated earlier, we had unusual circumstances in the last few years which forced us into non-compliance and we do not expect to encounter this situation in the future.

Sincerely,



Joe Zagozen
Assistant Administrator

JJZ:bmt