

DCS

January 28, 1994  
EN 94-007

REGION III  
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Oakland General Hospital (EA 94-009)  
Madison Heights, Michigan  
Docket No. 030-02101

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - \$3,750

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$3,750 will be issued on or about February 02, 1994, to Oakland General Hospital for a Severity Level III violation involving a substantial failure to implement a quality management program for brachytherapy administrations in accordance with 10 CFR 35.32. The base civil penalty for a Severity Level III violation is \$2,500. The penalty was escalated 50 percent because the NRC identified the violation. The civil penalty was further escalated 100 percent for prior opportunity to identify because although the licensee's consultant initially identified deficiencies in the quality management program on June 29, 1993, the licensee did not submit an adequate program to the NRC until December 27, 1993. The base civil penalty was mitigated 100 percent for the licensee's good past performance.

It should be noted that the licensee has not been specifically informed of the enforcement action. The schedule of issuance and notification is:

- Mailing of Notice February 02, 1994
- Telephone Notification of Licensee February 02, 1994

The State of Michigan will be notified.

The licensee has thirty days from the date of the Notice in which to respond. Following NRC evaluation of the response, the civil penalty may be remitted, mitigated, or imposed by Order.

Contacts: Robert W. DeFayette, Region III (708-829-9666)  
John B. Martin, Region III (708-829-9657)

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