

AUG 23 1982

Docket Nos. 30-00349
30-02468

License No. 29-03198-02
29-03198-03

Alfred J. Swyer, M.D.
307 60th Street
West New York, New Jersey 07093

Dear Dr. Swyer:

Subject: Inspection No. 82-01

This refers to the routine safety inspection conducted by Mr. C. Stearns of this office on June 25, 1982, of activities authorized by NRC License Nos. 29-03198-02 and 29-03198-03 and to the discussions of our findings held by Mr. Stearns with yourself at the conclusion of the inspection.

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

Our inspector also verified the steps you have taken to correct the violations brought to your attention in the enclosure to our letter dated December 18, 1980. We have no further questions regarding the steps you took to correct items A, B.1, B.2, C, D, E, and F. With regard to item B.3, this item was not fully corrected.

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.1 in the Notice of Violation enclosed with this letter was identified during a previous inspection of your licensed activities on November 13, 1980, and was documented in the enclosure to our letter dated December 18, 1980. Your letter to this office dated January 5, 1981, stated that quarterly linearity checks of the dose calibrator would be performed by your physicist. From our June 25, 1980 inspection it appears that the stated corrective actions were not effective since this item has not been fully corrected. Recurrent and uncorrected violations are given additional weight in the consideration and selection of appropriate enforcement action. Therefore, in your response to this letter, you should give particular attention to those actions taken or planned to ensure that identified items of noncompliance will be completely corrected and will not recur.

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Alfred J. Swyer, M.D.

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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.

Your cooperation with us in this matter is appreciated.

Sincerely,

Original Signed By:
John D. Kinneman

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

Enclosure:
Appendix A, Notice of Violation

cc w/encl:
Public Document Room (PDR)
Nuclear Safety Information Center (NSIC)
State of New Jersey

bcc w/encl:
Region I Docket Room (with concurrences)
Chief, Operational Support Section (w/o encl)

for *Kinneman*
RI:DETP
Stearns/lp
8/19/82

Kinneman
RI:DETP
Kinneman

8/20/82

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