

SEP. 21 1990

Docket No. 030-29240
EA No. 90-161

License No. 37-27830-01MD

Roche Professional Service Centers, Inc.
Bldg. 86, 1st Floor
ATTN: John Kerins
Vice President Regulatory Affairs
340 Kingsland Street
Nutley, New Jersey 07110

Gentlemen:

Subject: Special Inspection No. 030-29240/89-001

On October 23 and 31, 1989, Judith A. Joustra of this office conducted a special safety inspection at the above address of activities authorized by the above listed NRC license. The inspection was an examination of your licensed activities as they relate to radiation safety and to compliance with the Commission's regulations and the license conditions. The findings of the inspection were discussed with Janet Reuther of your staff at the conclusion of the inspection.

Areas examined during this inspection are described in the NRC Region I Inspection Report which is enclosed with this letter. Within these areas, the inspection consisted of selective examinations of procedures and representative records, interviews with personnel, measurements made by the inspector, and observations by the inspector. During the inspection, apparent violations of NRC requirements were identified and are described in the enclosed inspection report.

Subsequent to the inspection the NRC Office of Investigations (OI) conducted an inquiry into the apparent conflicting information which was given to the inspector during the inspection and subsequent telephone conversations. During the investigation, as described in the enclosed synopsis of this investigation, the NRC found that: (1) the licensee's then Philadelphia facility manager willfully caused a license condition to be violated; (2) the facility manager apparently lied to the NRC inspector (however OI found that there was insufficient evidence to conclude that the verbal false statement was willful or that the facility manager directed subordinates to lie); and (3) the facility manager's management was not aware of these activities until on or about November 3, 1989.

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As discussed during the telephone conversation between you and Dr. Ronald Bellamy, Chief, Nuclear Materials Safety Branch on September 20, 1990, the apparent violations identified during this inspection will be discussed at an Enforcement Conference at our office in King of Prussia, Pennsylvania at 1:00 p.m. on October 2, 1990. We understand that you and members of your staff will attend this meeting. In addition, as discussed during a telephone conversation between Dr. Bellamy and Mr. John Waterman, Amersham/Medi-Physics, Inc., Mr. Waterman and members of his staff will also attend the conference, since we understand that Amersham/Medi-Physics Inc. will be responsible for future operation at the Philadelphia location. You should be prepared to discuss the causes of these apparent violations and your proposed corrective actions. In particular, your discussion should focus on the extent to which your management control system may have been deficient in that the facility manager succeeded in violating a license condition without the knowledge of her management. Enforcement action for these violations will be considered by the NRC following the Conference. The NRC Enforcement Policy is described in Appendix C of 10 CFR Part 2, a copy of which is enclosed for your information. Directions to the NRC Region I office are also enclosed.

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.

No reply to this letter is required. Your cooperation with us is appreciated.

Sincerely,

Original Signed By:
Richard W. Cooper

for Malcolm R. Knapp, Director
Division of Radiation Safety
and Safeguards

Enclosures:

1. NRC Region I Inspection Report No. 030-29240/89-001
2. Synopsis of NRC Office of Investigations Report No. I-89-019
3. 10 CFR Part 2
4. Directions to Region I Office

cc:

Public Document Room (PDR)
Nuclear Safety Information Center (NSIC)
Commonwealth of Pennsylvania
Janet Reuther, Corporate Radiation Safety Officer
Maureen Donnelly, Radiation Safety Officer
John Waterman, Amersham/Medi-Physics, Inc.

Roche Professional Service
Centers, Inc.

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bcc:
Region I Docket Room (w/concurrences)
Management Assistant, DRMA (w/o enclosures)

RI:DRSS *AB*
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RI:DRSS
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Bellamy

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