

Docket No. 30-20277/90-01  
License No. 49-23121-01

Community Hospital  
ATTN: Douglas McMillan  
Administrator  
2000 Campbell Drive  
Torrington, Wyoming 82240

Gentlemen:

SUBJECT: NOTICE OF VIOLATION (NRC INSPECTION REPORT NO. 30-20277/90-01)

This refers to the routine, unannounced radiation safety inspection conducted by Messrs. Anthony D. Gaines and Gilbert Guerra of this office on October 11, 1990, of the activities authorized by NRC Byproduct Material License 49-23121-01, and to the telephonic discussion of our findings held by the inspectors and Mr. Charles L. Cain with members of your staff on October 17, 1990. The enclosed NRC Inspection Report 30-20277/90-01 documents this inspection. This also acknowledges the records we received from your consultant on October 24, 1990, to finish our review of your program.

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

During this inspection, certain of your activities were found not to be conducted in full compliance with NRC requirements. Consequently, you are required to respond to this matter in writing, in accordance with the provisions of Section 2.201 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations. Your response should be based on the specifics contained in the Notice of Violation enclosed with this letter.

The inspectors also reviewed the actions you had taken with respect to the two violations observed during our previous inspection conducted on June 15, 1987. They verified that the corrective actions for one of these violations had been implemented. However, we noted that one violation has recurred since the previous inspection. This item is identified as Violation No. 1 in the attached Notice.

It was noted by our inspectors that the oversight of the radiation safety program was primarily performed by your consultant, and that the individual named as radiation safety officer on your license acted in a secondary role. The NRC holds the licensee and, in particular, the radiation safety officer accountable for ensuring that the program is performing as it should and in

*RIV:NMSIS	*NMSIS	*C:NMSIS	*D:DRSS
ADGaines:nh	GGuerra	CLCain	ABBeach
/ /90	/ /90	/ /90	12/01/90

\*Previously concurred

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compliance with all NRC regulations. In particular, there are certain duties spelled out in the regulations that are to be accomplished by the radiation safety officer. The day-to-day oversight that should have been provided by the radiation safety officer, or even the oversight provided by your consultant, should have been sufficient to detect the violations identified by our inspectors.

Therefore, we are concerned about the implementation of your program in the area of management control that permitted these violations to occur. Consequently, in your reply to this letter, you should describe those specific actions planned or taken to improve the effectiveness of the management control of your licensed operations, with particular emphasis on actions planned or taken to prevent further violations.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, the enclosures, and your response to this letter will be placed in the NRC Public Document Room.

The responses directed by this letter and the enclosed Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, Pub. L. No. 96.511.

Should you have any questions concerning this letter, we will be pleased to discuss them with you.

Sincerely,

*Original Signed By:*

A. B. BEACH

A. Bill Beach, Director  
Division of Radiation Safety  
and Safeguards

Enclosures:

1. Appendix A - Notice of Violation
2. Appendix B - NRC Inspection Report  
30-20277/90-01

cc:

Wyoming Radiation Control Program Director

bcc:

DMB - Original (IE-07)  
ABBeach  
MRodriguez, OC/LFDCB (4503)  
\*CLCain  
\*GGuerra  
\*MIS System  
\*RSTS Operator

RDMartin  
LAYandell  
\*WLFisher  
\*ADGaines  
\*NMSIS  
\*RIV Files (2)  
\*REHall, URFO

\*W/766