

DCS

NOV 28 1990

Docket Nos. 030-02467
070-01404

License Nos. 29-03163-03
SNM-1371

Clara Maass Medical Center
ATTN: Ms. Kerri Johnston
Division Director of Professional Services
1 Franklin Avenue
Belleville, New Jersey 07109

Gentlemen:

Subject: Routine Inspection No. 90-001

On October 24, 1990, Judith A. Joustra and Penny Nessen of this office conducted a routine 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 inspection consisted of observations by the inspector, interviews with personnel, and a selective examination of representative records. In addition, our inspection examined the activities covered in your correspondence dated February 5, 1988. The findings of the inspection were discussed with you and other members of your staff at the conclusion of the inspection.

10 CFR 35.21 requires that licensees appoint a Radiation Safety Officer (RSO) responsible for implementing the radiation safety program. The licensee, through the RSO, shall ensure that radiation safety activities are being performed in accordance with approved procedures and regulatory requirements. Based on our inspection findings and discussions with your staff, it appears that the RSO does not exercise his supervisory and program oversight responsibilities over the entire program. The RSO indicated on several occasions that he is primarily responsible for radiological controls involving radiation therapy.

During the discussion of our finding at the conclusion of the inspection on October 24, 1990 Judith Joustra expressed our concern regarding the responsibilities of the RSO. From these discussions, we understand that your management will address this area of concern. In your response to this letter please identify what actions have been taken or are planned in order to improve your RSO's oversight of your entire radiation safety program.

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Based on the results of this inspection, it appears that your activities were not conducted in full compliance with NRC requirements. A Notice of Violation is enclosed as Appendix A and categorizes each violation by severity level in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (Enforcement Policy). You are required to respond to this letter and in preparing your response, you should follow the instructions in Appendix A.

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.

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.

Your cooperation with us is appreciated.

Sincerely,

Original Signed By:
Mohamed M. Shanbaky

Mohamed M. Shanbaky, Chief
Nuclear Materials Safety Section A
Division of Radiation Safety
and Safeguards

Enclosure:
Appendix A, Notice of Violation

cc:
Public Document Room (PDR)
Nuclear Safety Information Center (NSIC)
State of New Jersey
Kenneth Kopecky, Radiation Safety Officer

bcc:
Region I Docket Room (w/concurrences)
Management Assistant, DR1A

RI:DRSS AD
Joustra/bj

RI:DRSS fw
Nessen

RI:DRSS
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ms

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