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November 30, 1990

Mohamed M. Shanbaky, Chief  
Nuclear Materials Safety Section A  
Division of Radiation Safety  
and Safeguards  
U.S. NUCLEAR REGULATORY COMMISSION  
REGION I  
475 Allendale Road  
King of Prussia, PA 19406

re: License No. 29-28166-01  
Routine Inspection No: 030-30458/90-001

Dear Mr. Shanbaky:

Persuant to your letter of 11-19-90 regarding the routine safety inspection at my facility on 10-15-90, I wish to respond to the violations as listed in appendix A.

a. Violation of 10 CFR 35.51 (a)(1) was due to the mistake of the radiation health physicist whom I have retained to perform such duties. I must also assume some of the responsibility since I failed to familiarize myself entirely with the correct procedure in calibrating the survey instruments. Consequently, we have made arrangements with Syncor Radiopharmacy to properly calibrate the instrumentation with proper radiation sources as required. The electronic pulse generator will not be used for calibration of the survey instruments any longer.

b. Violation of 10 CFR 35.59 (b) which requires that the sealed radioactive sources be tested for leakage at intervals not to exceed six months was also noted. I was aware of this requirement but was unable to contact the radiation health physicist because he was on vacation. By the time I finally contacted the physicist, it was already the middle of August. He did not complete the leakage test until September. This is an explanation of the violation but certainly not an excuse. I certainly appreciate the suggestions of Mr. Steven R. Comtemanche concerning a means of circumventing this problem of a delay in the performance of the study. If it appears that the physicist will again be late in performing this study, I understand that I may send wipe samples of the seal sources to the physicist in order to expedite the performance of the leakage test of the sealed sources.

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c. Violation of 10 CFR 35.50 was totally my fault since I failed to perform the constancy test on the dose calibrator prior to administering a radioactive dose to the patient. The dose was checked in the calibrator but the constancy test was not performed until after administering the dose to the patient. The patient had been waiting a long time and I was in a hurry to perform the study. Consequently, I inadvertently failed to perform the constancy test on the dose calibrator first. We routinely perform the constancy test on the dose calibrator prior to performing patient injections. I have placed a sign in the hot lab to alert myself and the nuclear medicine technologist to perform the constancy test on the dose calibrator prior to checking the patient doses in the dose calibrator. Hence, this violation has been abated as required in 10 CFR 35.50.

At this point, I would like to thank Mr. Courtemanche for his very helpful suggestions and recommendations in maintaining compliance with the Federal Regulations, as well as his suggestions in Radiation Safety Procedures. His discussion at the completion of the inspection was very much appreciated. He conducted the inspection in a very professional manner and was very instructive.

Thank you.

Very truly yours,

*Patrick J. Conte, M.D., P.A.*

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PJC:dc