

FEB - 6 1991

In Reply Refer To:
License: 35-16717-01
Docket: 30-11681/90-01
EA 90-106

Newman Memorial Hospital
ATTN: Gary Mitchell
Administrator
919 South Main Street
Shuttuck, Oklahoma 73858

Gentlemen:

This is in reference to Newman Memorial Hospital's (NMH) letter dated January 18, 1991, and to the telephone conversation between Ms. Linda Kasner of this office and Mr. Gary Mitchell on January 31, 1991. The purpose of this conversation was to review NMH's posture regarding the violations described in the Notice of Violation and Proposed Imposition of Civil Penalty (Notice) sent to you by NRC letter dated July 25, 1990. NRC's letter and Notice described numerous violations identified as a result of NRC inspections conducted on January 25-26 and May 20, 1990.

In response, NMH admitted nine violations, denied three violations in their entirety, and admitted in part and denied in part the remaining violation. NMH also provided information in support of the licensee's position that some of the admitted violations had been self-identified and requested mitigation of the civil penalty. In a letter dated December 20, 1990, NMH was notified that NRC had evaluated the licensee's response and had concluded that the arguments provided in NMH's response did not warrant mitigation of the civil penalty. NRC discussed in detail its conclusions regarding NMH's response in an appendix to this letter.

Based on the aforementioned conversation, it is our understanding that in paying the civil penalty, NMH has accepted NRC's conclusions and acknowledges each of the violations. As reviewed with MR. Mitchell, NMH had provided a description of corrective actions taken for several of the violations in its letter dated August 21, 1990; however, NMH has not yet confirmed that corrective actions have been proposed or taken for those violations which were previously denied. Therefore, you are requested to provide further information as described below for four of the violations. Your response should be provided to the NRC Region IV office within 15 days of receipt of this letter.

For Violations B, C.2, C.3, and D:

- The reason for the violation.
- The corrective actions proposed or taken.
- The measures taken to prevent recurrent of the violation.

RIV:NMSIS *JLK*
LKasner:nh
2/1/91

C:NMSIS *CLC*
CLCain
2/1/91

D:DRSS
ABBeach *hcy*
2/5/91

EO *GA*
GSandor
2/4/91

9102140010 910206
REG4 LIC30
35-16717-01 PDR

130006

IE02
110

It is our current understanding that NMH has continued suspension of licensed activities. Therefore, we are not requesting the date that compliance was achieved at this time, but are primarily concerned that NMH correct these problems and develop measures to prevent their recurrence when the program is reactivated.

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

Sincerely,

Original Signed By

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

cc:
Oklahoma Radiation Control Program Director

bcc:
DMB - Original (IE-07)
RDMartin
GSanborn
ABBeach
LAYandell
MRodriguez, OC/17DCB (4503)
WLFisher
CLCain
LLKasner
NMSIS
MIS System
RIV Files (2)
RSTS Operator
REHall, URFO
JLieberman, OE