

MAY 06 1994

Docket No. 030-11155
License No. 52-16033-01
EA 94-06E

Hospital Metropolitano
ATTN: Mr. Milton Maldonado
Executive Administrator
P.O. Box EH
Caparra Heights Station
San Juan, PR 00922

16033-01/93-02

Gentlemen:

SUBJECT: NRC INSPECTION REPORT NO. ~~52-21368-01/94-01~~

This refers to the inspection conducted by Mr. H. Bermúdez of this office on December 15 and 17, 1993, in response to a reported misadministration, and our review of the NRC medical consultant's reports dated February 16 and April 19, 1994. The inspection included a review of activities authorized for your Río Piedras facility. At the conclusion of the inspection, the findings were discussed with you. As a result of the inspection, a Confirmatory Action Letter was issued on December 30, 1993, addressing immediate corrective actions discussed between Mr. Víctor Marrero, Administrator, and Mr. Bermúdez during a telephone conversation on December 29, 1993.

The inspection was an examination of activities conducted under your license with respect to radiation safety and compliance with NRC regulations and the conditions of your license. It included a selective examination of procedures and representative records, interviews with personnel, and direct observations by the inspector.

Based on the results of this inspection, four apparent violations were identified, one of which is being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (Enclosure 3). The apparent violation being considered for escalated enforcement involves the failure of two nurses to make required notifications in the event of an emergency. Accordingly, no Notice of Violation is presently being issued for the inspection findings. Please be advised that the number and characterization of the apparent violations described in the enclosed inspection report (Enclosure 1) may change as a result of further NRC review.

An enforcement conference to discuss the apparent violations described in the enclosed inspection report has been scheduled for May 20, 1994, at 9:00 a.m. at your facility. A proposed conference agenda is provided in Enclosure 2. The purposes of this conference are to discuss the apparent violations, their causes and safety significance; to provide you the opportunity to point out any errors in our inspection report; and to provide an opportunity for you to present your proposed corrective actions. In addition, this is an opportunity

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for you to provide any information concerning your perspective on 1) the severity of the issues, 2) the factors that the NRC considers when it determines the amount of any civil penalty that may be assessed in accordance with Section VI.B of the Enforcement Policy, and 3) the possible basis for exercising discretion in accordance with Section VII of the Enforcement Policy. You will be advised by separate correspondence of the results of our deliberations on this matter. No response regarding the apparent violations is required at this time.

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

Should you have any questions regarding this letter, please contact us.

Sincerely,

ORIGINAL SIGNED BY
J. PHILLIP STOHR

J. Philip Stohr, Director
Division of Radiation Safety
and Safeguards

Enclosures:

- 1. NRC Inspection Report
- 2. Enforcement Conference Agenda
- 3. Enforcement Policy

cc w/encls:

Commonwealth of Puerto Rico

bcc w/encls:

- Document Control Desk
- J. Lieberman, OE
- J. Glenn, NMSS
- C. Hosey

R11:DRSS <i>sp</i> HBermudez 5/5/94	R11:DRSS <i>CH</i> CHosey 5/5/94	R11:DRSS <i>DC</i> DCollins 5/5/94	R11:DRSS BMaylett 1/1/94	R11:EICS <i>BU</i> BUryc 05/05/94	R11:ORA CEvans /94
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