

Young

St. Luke's Medical Center



Aurora
HealthCare

June 2, 1994

2900 West Oklahoma Avenue
P.O. Box 2901
Milwaukee, WI 53201-2901
(414) 648-6000

B.J. Holt, Chief
Nuclear Materials Inspection Section I
USNRC Region III
801 Warrenville Road
Lisle, Illinois 60532-4351

re: reply to a Notice of Violation

Dear Ms. Holt:

This is written in response to the Notice of Violation dated May 6, 1994. This was issued as a result of a routine inspection of license number 48-01338-01 at St. Luke's Medical Center by Thomas Young of your office on December 16, 1993, through April 20, 1994. I will respond to the three Level IV violations in the order listed on the Notice.

1. As indicated in my letter of March 18, 1994, to Mr. Young, the changes in physical facilities occurred prior to approval of a license amendment primarily because of ignorance on my part of this regulation. This misconception had been reinforced by previous inspections and the past responses of license reviewers. However, I agree that ignorance of the regulation is no excuse for its violation. I have sent memos to all managers of areas in the institution where licensed materials are used, to remind them that they must communicate any proposed changes in facility usage to me, for submission to the Radiation Safety Committee and the NRC, and to be prepared for the several month lead time needed to receive the license amendment. This memo caught a facility move that the manager of the Laboratory had intended to make in ignorance of the need for a license amendment. This caused her to contact me with her intentions, and Radiation Safety Committee approval was obtained for an amendment request. This was submitted on May 26, 1994. We are in full compliance with this regulation as of this date.
2. Due to a lack of oversight on my part, the monthly Radiation Safety Officer review of radiation surveys had not been routinely performed. This has been rectified, in accord with Appendix N of Regulatory Guide 10.8 rev. 2. The radiation surveys are being reviewed monthly by the Radiation Safety Officer. We are in full compliance as of this date.
3. Again due to a lack of oversight on my part, the Radiation Safety Officer quarterly confirmatory audits of the radiation safety surveys and procedures for the research labs had not been routinely performed. This has been rectified, with audits having been performed on December 20, 1993, and April 14, 1994, in accord with our letter of October 6, 1989. The

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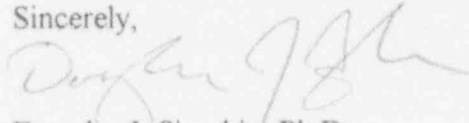
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next audit is scheduled for the end of this month. These audits will be performed on a routine quarterly basis. We are in full compliance as of this date.

Please feel free to contact me at (414)649-6457 should you wish to discuss this matter further.

Sincerely,



Douglas J. Simpkin, Ph.D.
Radiation Safety Officer

cc Frank Kalivoda