

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Radiation Oncology Center at Marlton (EA 93-072)
Marlton, New Jersey
Docket No. 030-32493

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - \$80,000

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$80,000 will be issued on or about May 31, 1994, to Radiation Oncology Center at Marlton, Marlton, New Jersey. This action is based on failure of the radiation safety officer to assure that radiation safety activities were performed in accordance with approved procedures and regulatory requirements. Numerous examples of failure to adhere to regulatory requirements are detailed in the Notice of Violation. Although the radiation safety officer signed the license application, she had not read it and she believed that her responsibilities and authorities were primarily a medical function and not a regulatory function. The violation, which is categorized at Severity Level II, represents a very significant lack of management attention to, and oversight of, licensed activities involving brachytherapy performed with a High Dose Rate (HDR) afterloader unit. The Commission was consulted on this action in SECY 94-126 and the action was approved in an SRM dated May 27, 1994.

It should be noted that the licensee has not been specifically informed of the enforcement action. The schedule of issuance and notification is:

Mailing of Notice May 31, 1994
Telephone Notification of Licensee May 31, 1994

The State of New Jersey will be notified.

The licensee has thirty days from the date of the Notice in which to respond. Following NRC evaluation of the response, the civil penalty may be remitted, mitigated, or imposed by Order.

Contact: J. DelMedico, OE, 504-2739 J. Lieberman, OE, 504-2741

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			ADM: Doc. Mgt.
			PDR

**PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL
VERIFICATION THAT LICENSEE HAS RECEIVED ACTION**

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PDR I&E
EN-94-064 PDR

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