FEB 24 1995

Peter M. Nefcy, Ph.D., M.D.
Radiation Safety Officer
Primary Care Radiology Co., Inc.
1425 Scalp Avenue
Johnstown, Pennsylvania 15904

SUBJECT: ROUTINE INSPECTION NO. 030-33505/94-001

Dear Dr. Nefcy:

This letter refers to your January 6, 1995 correspondence, in response to our December 12, 1994 letter.

Thank you for informing us of the corrective and preventive actions documented in your letter. These actions will be examined during a future inspection of your licensed program.

No reply to this letter is required. Thank you for your cooperation in this matter.

Sincerely,

Original Signed By:
John R. McGrath

John R. McGrath, Acting Chief
Medical Inspection Section
Division of Radiation Safety
and Safeguards

Docket No. 030-33505
License No. 37-30141-01

cc:
Commonwealth of Pennsylvania

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Nuclear Safety Information Center (NSIC) w/encl
Region I Docket Room (w/concurrences) w/encl

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OFFICE	DRSS/RI	DRSS/RI	DRSS/RI	DRSS/RI
NAME	McKinley/amw	JMcGrath		
DATE	02/17/95	02/24/95	02/ /95	02/ /95

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RETURN ORIGINAL TO REGION I

IE 07

PRIMARY CARE RADIOLOGY

Peter M. Nefcy, PhD., MD.
Medical Director

1425 Scalp Avenue
Johnstown, Pa. 15904

Phone: 814-269-XRAY
814-266-7900
Fax: 814-266-4517

January 6, 1995 REPLY TO A NOTICE OF VIOLATION

Mr. John McGrath, Acting Cheif
Medical Inspection Section
Division of Radiation Safety and Safeguards
U. S. N. R. C., Region I
475 Allendale Road
King of Prussia, PA 19406-1415

RE: Licence #37-30141-01
Docket #030-33505

Dear Mr. McGrath:

This letter is in responce to your notice of violation dated 12/12/94. We acknowledge that a linearity test was not performed on the dose calibrator prior to administering the first patient dose. This was an inadvertent oversite. However, linearity testing was completed on 8/8/94 and quarterly thereafter. Therefore, the situation has been corrected.

We do reject the part of the violation regarding accuracy testing. Our consultant performed an accuracy test with NIST traceable sources of Co-57, Cs-137, and Ba-133 on 5/11/94, before the administration of patient doses. A copy of a page from our most recent consulting report denoting this fact has been enclosed for your review.

Sincerely,

Peter M Nefcy MD

Peter M. Nefcy, Ph.D., M.D.
Radiation Safety Officer
Primary Care Radiology Co.

9501130049

MEDICAL PHYSICS SURVEY
DOSE CALIBRATOR EVALUATION
ACCURACY TEST

FACILITY: Primary Care Radiology Inc MODEL No.: Capintec CRC-7

LOCATION: Johnstown PA SERIAL No.: 70900

Date	Cs-137 (220) Cal/Disp/% (uCi)	Ba-133 (591) Cal/Disp/% (uCi)	Co-57 (112) Cal/Disp/% (mCi)	Sealed Source Set Used	Test	Bkg Zero	Linearity Test
5/11/94	240/248/+3.3	157/147/-6.4	.329/.330/+0.3	#1	153.1	OK	*must be done prior to first patient dose
8/9/94	196/198/1.0	154/160/3.9	.888/.895/0.8	#2	153.1	OK	34.06mCi - 10.2uCi
11/7/94	237/246/+3.8	139/144+3.6	.206/.209/+1.5	#1	153.0	OK	not yet completed 4th quarter

Set #1 NES 369; Cs-137 S/N 3819MA; Ba-133 S/N 2319MA; Co-57 S/N S205056003
Set #2 NES 369; Cs-137 S/N S356003-50, Ba-133, S/N 274628C; Co-57, A0620

RSO Signature Peter M. Negy

* See Report 992

UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

DEC 12 1994

Docket No. 030-33505 License No. 37-30141-01

Primary Care Radiology Company, Inc.
ATTN: Peter M. Nefcy, M.D.
Radiation Safety Officer
1425 Scalp Avenue
Johnstown, PA 15904

SUBJECT: ROUTINE INSPECTION NO. 030-33505/94-001

Dear Dr. Nefcy:

On November 17, 1994, Mr. Richard W. McKinley of this office conducted a routine safety inspection at the above address of activities authorized by the above listed NRC license. The inspection was an examination of your licensed activities as they relate to radiation safety and to compliance with the Commission's regulations and the license conditions. The inspection consisted of observations by the inspector, interviews with personnel, and a selective examination of representative records. The findings of the inspection were discussed with you at the conclusion of the inspection.

Based on the results of this inspection, it appears that your activities were not conducted in full compliance with NRC requirements. A Notice of Violation is enclosed as Appendix A and categorizes each violation by severity level in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (Enforcement Policy). You are required to respond to this letter and in preparing your response, you should follow the instructions in Appendix A.

Please use the enclosed self-addressed green envelope when you submit your copy to the Regional Administrator, Region I. This will assist us in the timely processing of your response. In accordance with Section 2.790 of NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and your reply will be placed in the Public Document Room. The responses directed by this letter and the accompanying Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

Your cooperation with us is appreciated.

Sincerely,

John R. McGrath

John R. McGrath, Acting Chief
Medical Inspection Section
Division of Radiation Safety
and Safeguards

9501100102 2pp.

Enclosure:
Appendix A, Notice of Violation

cc:
Public Document Room (PDR)
Nuclear Safety Information Center (NSIC)
Commonwealth of Pennsylvania

APPENDIX A

NOTICE OF VIOLATION

Primary Care Radiology Company, Inc.
Johnstown, Pennsylvania 15904

Docket No. 030-33505
License No. 37-30141-01

During an NRC inspection conducted on November 17, 1994, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the violation is listed below:

> 10 CFR 35.50(b)(2) and (b)(3) require, in part, that a licensee test each dose calibrator for accuracy and linearity upon installation and thereafter at least quarterly.
>
> Contrary to the above, the licensee did not test its dose calibrator for accuracy and linearity until August 9, 1994, a time after a patient had been treated on July 7, 1994.
>
> This is a Severity Level IV violation (Supplement VI).

Pursuant to the provisions of 10 CFR 2.201, Primary Care Radiology Co., Inc. is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, Region I, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued to show cause why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

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