

April 10, 1987
EN 87-31

OFFICE OF INSPECTION AND ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

34-00466-02

Licensee: Cleveland Clinic Foundation, Cleveland, Ohio
License No. 03000394

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - \$2,500

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of Two Thousand Five Hundred Dollars (\$2,500) will be issued on or about April 15, 1987 to Cleveland Clinic Foundation. This action is based on (1) the failure to make a timely notification to the NRC regarding a therapeutic misadministration, and (2) the failure to obtain approval of the Radioisotope Committee for physicians to use licensed material. The two violations together with other failures has led the NRC staff to conclude that there was a significant programmatic breakdown in management oversight and control of the licensee's radiation therapy program.

It should be noted that the licensee has not specifically informed of the enforcement action. The Regional Administrator has been authorized by the Director, Office of Inspection and Enforcement, to sign this action. The schedule of issuance and notification is:

Mailing of Notice	April 15, 1987
Telephone Notification of Licensee	April 15, 1987

A news release has been prepared and will be issued after the licensee receives the Notice. The State of Ohio 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: E. Flack, IE 27822 A. Beach, IE 24909

Distribution: 5520

H Street 4:10	MNBB _____	Phillips 4:12	EW _____	Willste _____
Chairman Zech	EDO _____	NRR _____	IE _____	NMSS _____
Comm. Roberts	DED/ROGR		OIA	
Comm. Asselstine	PA		OI	
Comm. Bernthal	OGC		AEOD	
Comm. Carr	RM			
ACRS				
SECY	Air Rights _____	Regional Offices	MAIL	
CA	SP	RT 4:13	RIV 4:13	ADM: Doc. Mgt. Br.
OGC		RI 4:13	RV 4:13	PDR
		RIIT 4:13		RES

PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL PUBLICLY ANNOUNCED.

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PDR I&E
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