

March 18, 1998

Docket No. 030-01238

License No. 06-00200-03

Matthew G. Van Vranken
Executive V.P. and Chief Operating Officer
Hospital of St. Raphael
1450 Chapel Street
New Haven, CT 06511

SUBJECT: NOTICE OF VIOLATION (INSPECTION NO. 030-01238/98-001)

Dear Mr. Van Vranken:

On February 3 and 4, 1998, David Everhart of this office conducted a 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 selected examination of representative records. Additional information provided in your correspondence dated February 12, 1998 was also examined as part of the inspection. The findings of the inspection were discussed with Albert Fasulo, Joseph Tatta, Charles Gignac and Susan Carpenter of your organization 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 and categorizes each violation by severity level in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (Enforcement Policy), NUREG 1600. The NRC has concluded that information regarding the reasons for the violation and the corrective actions taken and planned to correct the violation and prevent recurrence are already adequately addressed on the docket in your letter dated February 12, 1998. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

The item described in the attached Notice of Violation concerns security of NRC licensed material. The violation is classified at a Severity Level IV violation after careful consideration of the factors involved in this specific instance and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (Enforcement Policy), NUREG 1600. Specifically, this incident posed a minimal health and safety problem because the material was packaged and labeled for transportation, comprehensive corrective action was initiated immediately after you identified the violation, there was a low potential for harm to any member of the public, and this incident represents an isolated rather than a programmatic weakness in your radiation safety program. Similar violations of this type in the future may result in additional enforcement action.

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M. Van Vranken
Hospital of St. Raphael

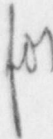
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In accordance with Section 2.790 of NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and your reply will be placed in the Public Document Room (PDR). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public. 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,

Original signed by James P. Dwyer



Mohamed M. Shanbaky, Chief
Nuclear Materials Safety Branch 1
Division of Nuclear Materials Safety

Enclosure:
Notice of Violation

cc:
Charles E. Gignac, Radiation Safety Officer
State of Connecticut

M. Van Vranken
Hospital of St. Raphael

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