



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**  
REGION I  
2100 RENAISSANCE BLVD.  
KING OF PRUSSIA, PA 19406-2713

June 24, 2021

Simon Ratliff, President & CEO  
Raleigh General Hospital  
1710 Harper Road  
Beckley, WV 25801

**SUBJECT: RALEIGH GENERAL HOSPITAL - NRC INSPECTION NO. 03014390/2021001  
AND NOTICE OF VIOLATION**

Dear Mr. Ratliff:

This letter refers to the inspection conducted on May 20, 2021 at your Beckley, WV facility. This inspection examined activities conducted under your license as they relate to public health and safety, and to confirm compliance with the Commission's rules and regulations and with the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews with personnel. An inspection briefing was held on May 20, 2021 with Ms. Rhonda Mann and Mr. James Miller of your staff. Mr. James Miller of your staff was contacted telephonically on May 26, 2021 and June 3, 2021. In office review of the inspection concluded on June 9, 2021 and an exit meeting was held with you, Mr. James Miller, Mr. Michael Baker, and Dr. Henry Setliff on June 9, 2021.

Based on the results of this inspection, the NRC has determined that two Severity Level IV violations of NRC requirements occurred. These violations were evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's Web site at <https://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violations are cited in the enclosed Notice of Violation (Notice) because the violations were identified by the NRC.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. If you have additional information that you believe the NRC should consider, you may provide it in your response to the Notice. The NRC review of your response to the Notice will also determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

If you have any questions regarding this matter, please contact Elizabeth Tindle-Engelmann of my staff at 610-337-5115 or via electronic mail at [Elizabeth.Tindle-Engelmann@nrc.gov](mailto:Elizabeth.Tindle-Engelmann@nrc.gov).

Thank you for your cooperation.

Sincerely,

Donna M. Janda, Chief  
Medical and Licensing Assistance Branch  
Division of Radiological Safety and Security  
Region I

Docket No. 03014390  
License No. 47-18046-01

Enclosure:  
Notice of Violation

cc w/ enclosure  
Henry Setliff M.D., Radiation Safety Officer  
Michael Baker, Imaging Manager  
James Miller, Nuclear Medicine Supervisor

RALEIGH GENERAL HOSPITAL - NRC INSPECTION NO. (0 3014390/2021001) AND  
 NOTICE OF VIOLATION DATED JUNE 24, 2021

DOCUMENT NAME: <https://usnrc.sharepoint.com/teams/Region-I-MLA/Inspection Reports/Inspection Documentation - Draft/L47-18046-01.2021001.docx>

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OFFICE	RI:DRSS	RI:DRSS			
NAME	ETindle-Engelmann / EDTE	DJanda / DMJ			
DATE	06/09/2021	06/24/2021			

OFFICIAL RECORD COPY

## NOTICE OF VIOLATION

Raleigh General Hospital  
Beckley, West Virginia

Docket No. 03014390  
License No. 47-18046-01

During an NRC inspection conducted on May 20, 2021, two violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the violations are listed below:

- A. 10 CFR 35.61(a) requires, in part, that a licensee calibrate the survey instruments used to show compliance with this part and 10 CFR Part 20 before first use, annually, and following a repair that affects the calibration.

Contrary to the above, as of May 20, 2021, the licensee was using a Ludlum Geiger-Muller ( serial number 203291) survey instrument to show compliance with this part and 10 CFR Part 20, and this survey instrument had not been calibrated from March 9, 2021 through May 20, 2021.

This is a Severity Level IV violation (NRC Enforcement Policy, Section 6.3).

- B. 10 CFR 35.67(f) states, in part, a licensee need not perform a leak test on sources stored and not being used; however, the licensee shall test each such source for leakage before transfer unless it has been leak tested within 6 months before the date of transfer.

Contrary to the above, on March 9, 2021, the licensee transferred a Cobalt-57 sealed source (serial number: 2065-116, nominal activity: 10 mCi, calibration date: 01/01/2019) that had been in storage without testing the source for leakage within 6 months before the date of transfer. Specifically, the licensee transferred the source on March 9, 2021 and last tested the source for leakage on September 1, 2020, a period greater than 6 months before the date of transfer.

This is a Severity Level IV violation (NRC Enforcement Policy, Section 6.3).

Pursuant to the provisions of 10 CFR 2.201, Raleigh General Hospital 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. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to 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.

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington,

DC 20555-0001. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, any response which contests an enforcement action shall be submitted under oath or affirmation.

Your response will be placed in the NRC Public Document Room (PDR) and on the NRC Web site. To the extent possible, it should, therefore, not include any personal privacy, proprietary, or safeguards information so that it can be made publically available 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.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days of receipt.

Dated This 24 day of June 2021