



October 19, 2021

U.S. Nuclear Regulatory Commission, Region 1  
Medical and Licensing Assistance Branch  
2100 Renaissance Blvd, Suite 100  
King of Prussia, PA 19406

RE: Reply to a Notice of Violation dated September 22, 2021 (Docket No. 030-35424), District Hospital Partners, L.P. dba The George Washington University Hospital (License No. 08-30607-01)

Dear Ms. Weidner and Mr. Seeley

Please accept this correspondence on behalf of hospital leadership management as our written statement in response to the above-mentioned Notice of Violation (NOV). This NOV, regarding the Severity Level IV violation that was discovered during the NRC inspection that took place for our above-mentioned radioactive materials license on March 29-31, 2021, stated:

*10 CFR 37.25(c) requires, in part, that the licensee shall conduct a reinvestigation every 10 years for any individual with unescorted access to category 1 or category 2 quantities of radioactive material. The reinvestigation shall consist of fingerprinting and an FBI identification and criminal history records check in accordance with § 37.27. The reinvestigations must be completed within 10 years of the date on which these elements were last completed.*

*Contrary to the above, as of March 29, 2021, the licensee did not conduct a reinvestigation every 10 years for an individual with unescorted access to category 1 or category 2 quantities of radioactive materials. Specifically, three individuals did not have the required reinvestigation completed within the ten-year timeframe. Reinvestigations should have been completed prior to July 9, 2018 for two individuals and prior to September 13, 2020 for one individual.*

Please accept our responses to items (1) – (4) as requested in the NOV.

Item 1. *The reason for the violation, or, if contested, the basis for disputing the violation.*

Response: The reason for the violation is well-stated in the Executive Summary of NRC Inspector Report No. 03035424/2021002 (Docket No. 05053424). A decision was made to remove and dispose of the irradiator, but the removal has been delayed by the COVID-19 Public Health Pandemic. The inspector determined the licensee maintained appropriate access authorization procedures and implemented appropriate physical security measures. However, three examples of a failure to conduct re-investigations every 10 years for individuals with unescorted access to category 1 materials, as require by 10 CFR 37.25(c), were identified. The Reviewing Official acknowledged the inspector's finding and stated that once a decision was made to remove the irradiator, she improperly stopped tracking required

recertification dates. The Reviewing Official also explained that the failure to recertify these three individuals within the required time frame did not present a significant security risk because these three individuals are trusted employees with exceptional performance reviews. The violation was classified at Severity Level IV because the violation posed a minimal health and safety problem because the blood irradiator had been locked out and not available for use by the three individuals and represents an isolated rather than a programmatic weakness in our radiation safety program.

Item 2. *The corrective steps that have been taken and the results achieved.*

Response: Upon identification of the three individuals, these individuals were removed from the unescorted access list. Ownership and custody of this source was transferred out of the control of our radioactive materials license under the Department of Energy's (DOE) Off-Site Source Recovery Program (OSRP) on October 10, 2021. Requirements under 10 CFR 37.25 (c) mentioned in the September 22, 2021 NOV are no longer applicable to any licensed material under our radioactive materials license.

Item 3. *The corrective steps that will be taken to avoid future violations.*

Response: No additional corrective steps are necessary to be taken to avoid future violations of this nature as this program has been discontinued under our license. A license amendment to remove the applicable licensed material addressed under this NOV is forthcoming.

Item 4: *The date when full compliance will be achieved.*

Response: Full compliance was achieved upon verbal notification from the inspector while he was on site conducting the inspection on March 29-31, 2021. Individuals who had not completed their reinvestigation in the last 10 years were immediately removed from the unescorted access list. As mentioned above, the licensed material is no longer in the custody of our radioactive materials license as of October 10, 2021.

Should you require additional information in response to this NOV, please do not hesitate to contact Sarah Mills in the Radiation Safety Office at Sarah.Mills@gwu-hospital.com.

Sincerely,



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Raynard Ware  
Associate Administrator  
George Washington University Hospital