

Hackensack Cardiovascular Group, P.C.

Clinical & Interventional Cardiology

KARAN S. NEJAD, M.D.
DEEPAK SRINIVASAN, M.D.

20 Prospect Avenue
Suite 809
Hackensack, New Jersey 07601
Tel: (201)-457-3366
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January 19, 2005

US Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, D.C. 2055

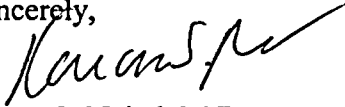
Subject: Reply to Notice of Violation
Inspection No. 03036523/2004001

Dear Sir or Madam:

In response to your letter dated January 4, 2005, enclosed is the "reply to Notice of Violation: for Karan S. Nejad, M.D., 20 Prospect Ave., Suite 809, Hackensack, NJ 07601. If you have any questions concerning this, please call me at (201) 457-3366.

With thanks.

Sincerely,



Karan S. Nejad, M.D.
Owner/Radiation Safety Officer

Cc: Regional Administrator
US NRC, Region 1
475 Allendale Road
King of Prussia, PA 19406-1415

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Reply to a Notice of Violation

Inspection: 03036523/2004001
License No. 29-30890-01

VIOLATION:

10 CFR 20.1501 requires that each licensee make or cause to be made surveys that may be necessary for the licensee to comply with the regulations in Part 20 and that are reasonable under the circumstances to evaluate the magnitude and extent of radiation levels, concentrations or quantities of radioactive materials, and the potential radiological hazards that could be present.

Pursuant to 10.CFR 20.1003, survey means an evaluation of the radiological conditions and potential hazards incident to the production, use, transfer, release, disposal or presence of radioactive material or other sources of radiation.

Contrary to the above, on December 1, 2004, the licensee did not make adequate surveys to assure compliance with 10 CFR. 1301(a)(2), which limits radiation levels in unrestricted areas to 2 millirem in any one hour from external sources. Specifically, on December 1, 2004, about 3 p.m., the licensee performed a survey for radioactive materials contamination by the treadmill, an area of use in an unrestricted area, and recorded radiation dose rate levels of 0.03 millirem per hour. On December 2, 2004, about 9:30 a.m. the inspector made radiological measurements in the same area and measured a radiation dose rate level of 3.0 millirem per hour at one inch. The licensee informed the inspector that only Technetium-99m was used in the facility as unsealed radioactive material and the last time a procedure was performed would have been prior to the licensee's survey on December 1, 2004. At the time the licensee performed this survey, 18 hours prior to the NRC survey, the radiation level at one inch would have been, at a minimum, 24 millirem per hour or 0.24 millirem at 10 inches and should have been identified by the licensee.

Discussion:

The Nuclear Medicine department has a policy to follow NRC guideline to survey all areas on a daily basis, where radioactive materials are used or stored, at the end of the day after all patients' studies are completed. If the survey reveals any contamination or exceeds the trigger level established for each area, a decontamination process will be initiated. If decontamination is not possible, the RSO and/or the Physicist will be notified and appropriate corrective actions will be taken, specifically, either close the area or limit the access to public.

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1. Reason for violation:

It appears that the technologist did not pay careful attention to the specific areas of the treadmill where it was contaminated or the setting on the survey meter was at a higher "Range", without the "audio" not active.

2. Corrective Action:

Technologist will be instructed to hold gauze or chux under the injection site while injection radioactive material to contain any spills that may occur.

A Geiger Mueller survey meter with a pancake probe will be used to increase sensitivity. All surveys will be performed with audio on.

An inservice will be performed and the technologists must demonstrate to the physicist how to properly perform area surveys.

Proper procedures of notification, action limits, and decontamination will be reviewed.

3. Corrective action to avoid further violation:

The Consultant Physicist will make regular visits to assure that the technologist performs the radiation surveys in the proper way. Any areas of deficiencies will be immediately instructed to the technologist and documented in the radiation safety audit book.

4. Compliance date:

We are in compliance as of 1/5/2005.