

July 5, 2012

EA-12-117

Dr. Reginald Eadie, President
and Chief Executive Officer
VHS Sinai-Grace Hospital, Inc
6071 West Outer Drive
Detroit, MI 48235

SUBJECT: EVALUATION OF THE RADIATION PROGRAM AND NRC EXERCISE OF
ENFORCEMENT DISCRETION — VHS SINAI-GRACE HOSPITAL, INC.

Dear Dr. Eadie:

On April 3, 2012, an inspector from the U.S. Nuclear Regulatory Commission (NRC) conducted a telephone interview with Timothy Applegate of your staff. Based on the information discussed during this interview and a subsequent notification from Mr. Applegate on April 4, 2012, the NRC performed additional in-office review through June 13, 2012. The in-office review involved detailed evaluation of the information provided, the circumstances surrounding the disposal of radioactive material, and the determination of the significance of this issue. A meeting was held between Deborah Piskura and Claire Wellinghoff of my staff and Timothy Applegate and Terry Tosa of your staff by telephone on June 13, 2012, to discuss the conclusions of our evaluation.

During this review, the NRC staff examined activities conducted under your license related to public health and safety. Additionally, the staff examined your compliance with the Commission's rules and regulations as well as the conditions of your license. Within these areas, the review consisted of interviews with personnel.

Based on the results of this review, a violation was identified and was evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violation involved the unauthorized disposal of radioactive material in accordance with Title 10 of the Code of Federal Regulations (CFR) Section 20.2001. Details about this violation are available in the non-public interview addendum enclosed with this letter.

The NRC evaluated the specific circumstances of the issue and determined that the issue constituted a Severity Level IV violation. Notwithstanding, and in consultation with the Director of the Office of Enforcement and the Regional Administrator, Region III, the NRC is exercising enforcement discretion to not cite the violation in accordance with Section 3.5 of the NRC

Enclosure Contain Sensitive Unclassified Non-Safeguards Information. When separated from enclosure, this transmittal letter is decontrolled.
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R. Eadie

-2-

Enforcement Policy because (1) this situation resulted from matters not fully within your control, and (2) you had taken reasonable actions to account for the material.

The NRC has concluded that information regarding the reasons for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence, and the date when full compliance will be achieved are adequately addressed on the docket in this letter and in the non-public addendum enclosed with this letter. Therefore, you are not required to respond to this letter unless the description herein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, clearly mark your response as a "Reply to Telephone Interview (DNMS), EA-12-117", and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001 with a copy to the Regional Administrator, Region III, within 30 days of the date of this letter.

Because this issue involves Security-Related Information, if you choose to respond, your response will not be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. Mark your entire response "Security-Related Information in accordance with 10 CFR 2.390(d)(1)" and follow the instructions for withholding in 10 CFR 2.390(b)(1). In accordance with 10 CFR 2.390(b)(1)(ii) the NRC is waiving the affidavit requirements of your response.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be made available electronically for public inspection in the NRC's Public Document Room or from ADAMS. However, the material enclosed herein contains Security-Related Information; its disclosure to unauthorized individuals could present a security vulnerability. Therefore, the enclosure will not be made available electronically for public inspection in the NRC Public Document Room or ADAMS. Security-Related Information is also discussed in Regulatory Information Summary RIS-2005-031, "Control of Security-Related Sensitive Unclassified Non-Safeguards Information" (ML053480073), which is available on the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA/

Anne T. Boland, Director
Division of Nuclear Materials Safety

Docket No. 070-03072
License No. SNM-1991

Enclosure:
Addendum to NRC Evaluation
(Non-Public)

cc w/encl: Timothy Applegate,
Radiation Safety Officer
Terry Tosa, Administrative
Director of Radiology

R. Eadie

-2-

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Division of Nuclear Materials Safety

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Enclosure:
Addendum to NRC Evaluation
(Non-Public)

cc w/encl: Timothy Applegate,
Radiation Safety Officer
Terry Tosa, Administrative
Director of Radiology

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Letter to Dr. Reginald Eadie from Anne T. Boland, dated July 5, 2012.

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ENFORCEMENT DISCRETION — VHS SINAI-GRACE HOSPITAL, INC.

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