

## INSPECTION RECORD

Region III Inspection Report No. 2012-001

License No. 21-26716-01

Docket No. 030-34119

Licensee (Name and Address):

Bronson Lakeview Hospital  
408 Hazen Street, P.O. Box 209  
Paw Paw, Michigan 49079-0209

Location (Authorized Site) Being Inspected: As above

Licensee Contact: Bruce D. Goethe, M.D., RSO

Telephone No. 269-657-3141

Priority: 5

Program Code: 02121

Date of Last Inspection: July 27, 2007

Date of This Inspection: July 9, 2012

Type of Inspection: ( ) Initial

( ) Announced

( ) Unannounced

(X) Routine

( ) Special

Next Inspection Date: July 2017

(X) Normal ( ) Reduced

Justification for reducing the routine inspection interval: N/A

### Summary of Findings and Actions:

- ( ) No violations cited, clear U.S. Nuclear Regulatory Commission (NRC) Form 591 or regional letter issued
- ( ) Non-cited violations (NCVs)
- ( ) Violation(s), Form 591 issued
- (X) Violation(s), regional letter issued
- ( ) Followup on previous violations

Inspector(s) Geoffrey M. Warren  
(Name(s))

Date 8/2/12

  
(Signature(s))

Approved Tamara E. Bloomer  
(Name)

Date 8/8/12

  
(Signature)

## **PART I-LICENSE, INSPECTION, INCIDENT/EVENT, AND ENFORCEMENT HISTORY**

### **1. AMENDMENTS AND PROGRAM CHANGES:**

<u>AMENDMENT #</u>	<u>DATE</u>	<u>SUBJECT</u>
9	1/12	Renewal, document change of ownership
8	9/08	New radiation safety officer (RSO)

Change of Ownership effective January 1, 2008. The hospital is now owned by Bronson Healthcare Group of Kalamazoo, Michigan.

### **2. INSPECTION AND ENFORCEMENT HISTORY:**

No violations were cited as a result of the last two routine inspections performed in June 2002 or July 2007.

### **3. INCIDENT/EVENT HISTORY:**

None

## **PART II - INSPECTION DOCUMENTATION**

### **1. ORGANIZATION AND SCOPE OF PROGRAM:**

The licensee was a 35-bed hospital located in Paw Paw, Michigan, with authorization to use byproduct materials in Sections 35.100 and 35.200. Licensed activities were conducted only at the location indicated on the license. The nuclear medicine department was staffed with two full-time and one part-time nuclear medicine technologists. The licensee's nuclear medicine staff typically administered 100-120 diagnostic doses monthly, primarily cardiac and bone imaging, but including a variety of procedures such as xenon-133 for lung. Doses were received as unit doses from a licensed nuclear pharmacy. All waste was held for decay-in-storage or returned to the pharmacy.

### **2. SCOPE OF INSPECTION:**

Inspection Procedure(s) Used: 87130

Focus Areas Evaluated: 03.01 – 03.08

No administrations were performed during the inspection. Licensee personnel demonstrated dose calibrator constancy tests, well-counter and survey meter QC, package receipt surveys and wipes, daily and weekly contamination surveys, and dose preparation and administration. The inspector noted no concerns with these activities. Interviews with licensee personnel indicated adequate knowledge of radiation safety concepts and procedures. Review of dosimetry records indicated no exposures of concern to radiation workers.

3. INDEPENDENT AND CONFIRMATORY MEASUREMENTS:

The inspector performed independent and confirmatory radiation measurements which indicated results consistent with licensee survey records and postings, using a Ludlum 2403, calibrated October 10, 2011.

4. VIOLATIONS, NCVs, AND OTHER SAFETY ISSUES:

The inspector identified a violation of Title 10 of the Code of Federal Regulations (CFR), 30.34(b). This requirement states that no license issued or granted pursuant to the regulations in 30 through 36, and 39 nor any right under a license shall be transferred, assigned or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of any license to any person, unless the Commission shall, after securing full information, find that the transfer is in accordance with the provisions of the Act and shall give its consent in writing.

Bronson Healthcare Group of Kalamazoo, Michigan, acquired the licensee on January 1, 2008, and the NRC did not give its consent in writing prior to the change of ownership; the NRC was notified of the change of ownership on March 30, 2010. The licensee provided full information concerning the change of ownership in a letter dated January 5, 2012, as part of the license renewal after being prompted by the license reviewer to provide this information. The root cause of the violation was the licensee's lack of awareness of the requirement to get NRC approval prior to the transfer of control.

Because License Amendment No. 9, documenting the change of ownership and change of name of the licensee, was issued by the NRC Region III licensing staff on January 9, 2012, no further action is required. The licensee is now aware of this requirement.

5. PERSONNEL CONTACTED:

- \* Susan R. Szakal, Imaging Services Manager
- \* Bruce D. Goethe, M.D., RSO
- And other nuclear medicine staff

Use the following identification symbols:

- \* Individual(s) present at exit meeting