



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**

REGION III  
2443 WARRENVILLE RD. SUITE 210  
LISLE, IL 60532-4352

July 30, 2015

EA-15-150  
EN 51056  
NMED No. 150268 (Closed)

Mr. William Scott Claunch  
Radiation Safety Officer  
Cardinal Health  
Nuclear Pharmacy Services  
7000 Cardinal Place  
Dublin, OH 43017

SUBJECT: NRC SPECIAL INSPECTION REPORT NO. 03036973/2015007(DNMS) AND  
NOTICE OF VIOLATION – CARDINAL HEALTH

Dear Mr. Claunch:

From May 8, 2015, through July 15, 2015, an inspector from the U.S. Nuclear Regulatory Commission (NRC) conducted in-office review of the circumstances surrounding the loss of technetium-99m doses in a vehicle based at your facility in Kansas City, Missouri. The NRC initiated this review after Cardinal Health (licensee) contacted the NRC Regional Office on May 8, 2015, to report the theft of the vehicle. Mr. Geoffrey Warren of my staff presented the findings of this review to you via telephone on July 16, 2015.

During this in-office 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. The in-office review consisted of interviews with personnel and examination of information provided by you to the NRC.

Based on the results of the in-office review and the information you provided, the NRC has determined that a Severity Level IV violation of NRC requirements occurred. The violation 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/enforcement.html>. The violation concerned the licensee's failure to control and maintain constant surveillance of licensed material that was in a controlled or unrestricted area and that was not in storage, as required by Title 10 of the *Code of Federal Regulations* (CFR) Part 20.1802. The violation is cited in the enclosed Notice of Violation (Notice). The NRC is citing the violation because the inspector identified the violation. The NRC is citing the violation at Severity Level IV due to the low safety significance associated with the small amount and type of material; the fact that the quantity was less than 1000 times the 10 CFR Part 20, Appendix C value; the isolated nature of the loss; and your prompt response working with local law enforcement personnel to recover the vehicle and the radioactive material.

The NRC has determined that the root cause of the violation was the driver's failure to maintain proper security focus while leaving the vehicle at a client facility. As a result of leaving the vehicle containing the licensed material unsecured, it was stolen. As corrective actions to restore compliance and to prevent recurrence: (1) staff at the Kansas City pharmacy took prompt action to work with local law enforcement to recover the vehicle; (2) the driver has been fired; (3) you have issued guidance that under no circumstances should any driver take both sets of keys for a vehicle; (4) all employees at the Kansas City pharmacy have been retrained on delivery procedures and securing vehicles; (5) all nuclear pharmacy services nationwide have been sent a memo reminding them of the policy concerning security of licensed materials.

The NRC has concluded that information regarding the reason 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 is already adequately addressed on the docket in this letter and in your report dated May 29, 2015. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC's Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC's website at <http://www.nrc.gov/reading-rm/adams.html>.

Please feel free to contact Mr. Warren of my staff if you have any questions regarding this correspondence. Mr. Warren can be reached at 630-829-9742.

Sincerely,

**/RA/**

Aaron T. McCraw, Chief  
Materials Inspection Branch  
Division of Nuclear Materials Safety

Docket No. 030-36973  
License No. 34-29200-01MD

Enclosure:  
Notice of Violation

cc w/encl: State of Missouri  
State of Ohio

The NRC has determined that the root cause of the violation was the driver's failure to maintain proper security focus while leaving the vehicle at a client facility. As a result of leaving the vehicle containing the licensed material unsecured, it was stolen. As corrective actions to restore compliance and to prevent recurrence: (1) staff at the Kansas City pharmacy took prompt action to work with local law enforcement to recover the vehicle; (2) the driver has been fired; (3) you have issued guidance that under no circumstances should any driver take both sets of keys for a vehicle; (4) all employees at the Kansas City pharmacy have been retrained on delivery procedures and securing vehicles; (5) all nuclear pharmacy services nationwide have been sent a memo reminding them of the policy concerning security of licensed materials.

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Sincerely,

/RA/

Aaron T. McCraw, Chief  
Materials Inspection Branch  
Division of Nuclear Materials Safety

Docket No. 030-36973  
License No. 34-29200-01MD

Enclosure:  
Notice of Violation

cc w/encl: State of Missouri  
State of Ohio

ADAMS Accession Number: ML15212A714

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OFFICE	RIII-DNMS		RIII-EICS		RIII-DNMS		
NAME	GWarren:ps		RSkokowski		AMcCraw		
DATE	7/27/2015		7/28/2015		7/30/2015		

OFFICIAL RECORD COPY

Letter to William Claunch from Aaron McCraw dated July 30, 2015

SUBJECT: NRC SPECIAL INSPECTION REPORT NO. 03036973/2015007(DNMS) AND  
NOTICE OF VIOLATION – CARDINAL HEALTH

DISTRIBUTION:

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## NOTICE OF VIOLATION

Cardinal Health  
Dublin, OH

License No. 34-29200-01MD  
Docket No. 030-36973  
EA-15-150

During a U.S. Nuclear Regulatory Commission (NRC) in-office review conducted from May 8, 2015, through July 15, 2015, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Title 10 of the *Code of Federal Regulations* (CFR) Section 20.1802 requires that the licensee control and maintain constant surveillance of licensed material that is in a controlled or unrestricted area and that is not in storage.

Contrary to the above, on May 8, 2015, the licensee failed to control and maintain constant surveillance of licensed material that was in a controlled or unrestricted area and that was not in storage. Specifically, licensee personnel left a vehicle containing approximately 250 millicuries of technetium-99m unlocked while delivering additional materials at a client facility.

This is a Severity Level IV violation (Section 6.7).

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence, and the date when full compliance was achieved, is already adequately addressed on the docket in and in your report dated May 29, 2015. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation, IR 03036973/2015007(DNMS)" 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 the letter transmitting this Notice of Violation (Notice).

If you choose to respond, your response will be made available electronically for public inspection in the NRC's Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC's website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, the response should not include any personal privacy, proprietary, or safeguards information so that it can be made publicly available without redaction.

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

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

Dated this 30<sup>th</sup> day of July 2015.

Enclosure