

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED: West Virginia University Hospital, Inc. Medical Center, P.O. Box 9006 Morgantown, West Virginia 26506 REPORT NUMBER(S) 2016001		2. NRC/REGIONAL OFFICE U.S. Nuclear Regulatory Commission Region I, 2100 Renaissance Blvd, Suite 100 King of Prussia, Pennsylvania 19406-2713	
3. DOCKET NUMBER(S) 03020233	4. LICENSE NUMBER(S) 47-23066-02	5. DATE(S) OF INSPECTION 8/21-25/16; in-office review through 9/20/16	

LICENSEE:

The inspection was an examination of the activities conducted under your license as they relate to radiation safety and to compliance with the Nuclear Regulatory Commission (NRC) rules and regulations and the conditions of your license. The inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observations by the inspector. The inspection findings are as follows:

- ☐ 1. Based on the inspection findings, no violations were identified.
- ☐ 2. Previous violation(s) closed.
- ☐ 3. The violation(s), specifically described to you by the inspector as non-cited violations, are not being cited because they were self-identified, non-repetitive, and corrective action was or is being taken, and the remaining criteria in the NRC Enforcement Policy, to exercise discretion, were satisfied.
_____ Non-cited violation(s) were discussed involving the following requirement(s) and corrective action(s):
- ☒ 4. During this inspection, certain of your activities, as described below and/or attached, were in violation of NRC requirements and are being cited in accordance with the NRC Enforcement Policy. This form is a NOTICE OF VIOLATION, which may be subject to posting in accordance with 10 CFR 19.11. (Violations and Corrective Actions)

10 CFR 30.34(c) states, in part, that each person licensed by the Commission to prepare for shipment and transport of byproduct material shall be in accordance with 10 CFR Part 71. 10 CFR 71.5(a)(1)(vi) states, in part, that each licensee who delivers licensed material to a carrier for transport shall comply with the applicable requirements of the DOT regulations in 49 CFR 172. 49 CFR 172.704(c)(1) and (2) requires, in part, for (1), a new hazmat employee or a hazmat employee whose job function has changed must complete training within 90 days after employment or job change, and, for (2) a hazmat employee must receive the training required by this part at least once every three years.

Contrary to the above, on three separate occasions WVUH staff delivered byproduct material to a carrier for transport and these individuals failed to meet the training requirements of 49 CFR 172.704(c)(1) and (2). Specifically, on 3/3/16 a staff member prepared a package containing a flood source for shipment who had never received the training specified in 49 CFR 172.704(c)(1), and on 6/15/16 and 7/18/16 a second staff member prepared a package containing flood sources whose previous training pursuant to 49 CFR 172.702(c)(2) was on 2/18/13, a period in excess of three years. This is a Severity Level IV violation.

Corrective actions taken by WVUH include all technical staff in the Radiation Safety Department have completed DOT Hazmat training, effective August 30, 2016 and the establishment of a mechanism to track this training in the future.

Statement of Corrective Actions

I hereby state that, within 30 days, the actions described by me to the inspector will be taken to correct the violations identified. This statement of corrective actions is made in accordance with the requirements of 10 CFR 2.201 (corrective steps already taken, corrective steps which will be taken, date when full compliance will be achieved). I understand that no further written response to NRC will be required, unless specifically requested.

Title	Printed Name	Signature	Date
LICENSEE'S REPRESENTATIVE	STEPHEN L. TANCIN		9/20/16
NRC INSPECTOR	Robert Gallagher		9/26/2016
BRANCH CHIEF	James Dwyer		9/26/2016

SUNSI Review Completed By: / RA / RGallagher

☒ Public
 ☒ Non-Sensitive