

DCD/DCB

JAN 05 1993

Harper Hospital Division  
ATTN: Mark L. Penkhus, Executive  
Vice President/COO  
3990 John K Street  
Detroit, MI 48201

License No. 21-04127-06  
Docket No. 030-09376  
AMS No. RIII-A-0143

Dear Mr. Penkhus:

SUBJECT: NRC INSPECTION REPORT NO. 030-09376/92003(DRSS)

This refers to the special safety inspection conducted by Evelyn R. Matson and S. J. Mulay of this office on December 15-17, 1992. The inspection was conducted to review NRC concerns relating to your radiation safety program (AMS No. RIII-A-0143). At the conclusion of the inspection, the findings were discussed with you and those members of your staff identified in the enclosed report.

The enclosed copy of our inspection report identifies areas examined during the inspection. Within these areas, the inspection consisted of a selective examination of procedures, observations, and interviews with personnel.

During this inspection, one concern and two unresolved issues were identified as specified in the enclosed report. These were discussed with you at the conclusion of the inspection. A written response is requested regarding the concern within 30 days of the date of this letter.

We are concerned that the corrective actions described in your letter dated May 6, 1992, regarding training new personnel in your policies and procedures have not been implemented. Specifically, new staff has not read the policies and procedures of the Quality Management Program (QMP), and an effective system is not in place to provide training to new personnel on a timely basis. Therefore, you are requested to respond to our concern and describe: (1) the corrective actions to be taken; (2) why these actions will be more effective than the actions previously described; (3) the date the actions will be initiated; and (4) the actions you will take to prevent the concern from recurring.

One unresolved issue involves a teletherapy treatment where the physician prescribed more dose to the left side of the brain when the tumor was located more on the right side of the brain (URI 92003/01). The second unresolved issue, unrelated to the first issue, relates to the implementation of your Quality Management Program (QMP). This issue involves an apparent failure, in at least two cases, to perform a physics check of the beam on time before the fifth treatment was given (URI 92003/02).

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The NRC's review of these matters and their applicability to the requirements in 10 CFR Part 35 is not complete. Therefore, a decision regarding enforcement will be withheld pending the outcome of our review. No response to these issues is required at this time and you will be advised of our decision in a future correspondence.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, the enclosures, and your response to this letter will be placed in the NRC Public Document Room.

The response directed by this letter is not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

We will gladly discuss any questions you have concerning this inspection.

Sincerely,

Charles E. Norelius, Director  
Division of Radiation Safety  
and Safeguards

Enclosure: Inspection Report  
No. 030-09376/92003(DRSS)

cc w/enclosure:  
DCD/DCB (RIDS)

bcc w/enclosures:  
D. Funk, RIII  
J. Lieberman, OE  
J. Glenn, NMSS

RIII

Mulay/jaw

1/4/93

RIII

Matson

1/4/93

RIII

Shear

1/4/93

RIII

Caniano

1/5/93

RIII

DeFayette

1/5/93

RIII

Norelius

1/5/93