

October 18, 1996
EN 96-078

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Dr. José L. Fernández, M.D. (EA 96-154)
Mayagüez, Puerto Rico
Docket No. 030-31873

Subject: ORDER MODIFYING LICENSE (EFFECTIVE IMMEDIATELY)

This is to advise the Commission that the staff will be issuing on October 21, 1996, an Order Modifying License of Dr. José L. Fernández, M.D. This action is based on the results of two inspections, which revealed numerous violations, including the licensee's failure to: (1) establish and maintain a quality management program which resulted in at least 104 Strontium-90 misadministrations; (2) maintain the security of byproduct material; (3) perform quarterly physical inventories of byproduct material; (4) test sealed sources for leakage at six month intervals; (5) notify individuals of a misadministration within 24-hours of discovery; (6) provide written reports to individuals within 15 days of discovery of a misadministration; (7) maintain misadministrative records; and (8) amend its license prior to permitting an individual to work as an authorized user.

The Order requires, among other things, the licensee to: (1) submit to the NRC, for approval, the credentials of an independent Health Physicist/Radiation Physicist Consultant; (2) ensure that the consultant reviews all patient radiation doses and misadministration records; (3) submit an updated, final report to the NRC of all misadministrations and notify individuals who received misadministrations; and (4) maintain the strontium-90 sources in locked, safe storage until the material is transferred.

Under the terms of the Order, the licensee may, within 20 days of the date of the Order, request a hearing on the Order.

The Commonwealth of Puerto Rico will be notified.

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