DCS

METRO HEALTH CENTER
252 WEST 11th STREET • ERIE, PENNSYLVANIA 16501 • 814/455-3961

October 10, 1985

Mr. Robert Burnett, Director
Division of Radiation Safety
and Safeguards
Office of Inspection
and Enforcement
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: NRC License #37-11258-01

Dear Mr. Burnett:

This letter is in response to a Notice of Violation and Proposed Imposition of Civil Penalty, dated September 16, 1985, regarding Metro Health Center, Erie, Pennsylvania. This Notice refers to the Nuclear Regulatory Commission safety inspection conducted on August 8, 1985 and subsequent enforcement conference held on August 22, 1985.

Metro Health Center does not deny that the alleged violations did occur. It is felt by this Hospital Administration that these alleged violations occurred due to the technical director of Nuclear Medicine, who received all reports and correspondence from our consultants regarding internal audits of the radiation safety program, and was working without direct administrative supervision. The technical director of Nuclear Medicine failed to apprise this administration or the radiation safety officer of the discrepancies noted in our consultants' quarterly reports. Administrative notification, initiated by our consultants, of essentially the same alleged violations noted in the Nuclear Regulatory Commission inspection conducted August 8, 1985, ultimately, resulted in the termination of the technical director of Nuclear Medicine.

Steps have been taken to avoid ever again letting this type of communication failure to take place within this institution. These items are listed below:

1) As mentioned previously, the technical director of Nuclear Medicine was terminated.

IE:14

2) Our consultants, Nuclear Medicine Associates of Cleveland, Ohio have in the past and will continue in the future to provide an external means of monitoring the Nuclear Medicine program.

3) Presently, as a means of providing an internal check and balance system, Arthur B. Calabrese, Ph.D., D.O., M.D., Hospital Chairman of the Board; Luis A. Hernandez, Hospital Administrator; Raymond T. Kiendl, Technical Director of Radiology, Nuclear Medicine and Ultrasound; Paul Janicki, D.O., Director of Operations for Radiology Consultants, which provides physician coverage at Metro Health Center; and Jim Campbell, B.S., R.T.(N), the new Radiation Safety Officer, will receive copies of Nuclear Medicine Associates quarterly reports. This practice will continue until it can be verified that the program is maintaining appropriate compliance levels. When it is felt that this compliance level has been achieved, only the Hospital Administrator, Radiation Safety Officer and Technical Director of Radiology will continue to receive a copy of Nuclear Medicine Associates quarterly reports.

4) The administration of the technical component of the department has been reorganized by having a single Department of Radiology Services to include Radiology, Nuclear Medicine and Ultrasound.

5) Amendment #25 allows for a change in the Radiation Safety Officer to Jim Campbell, B.S., R.T.(N).

Other items in this response correspond alphabetically or numerically to the questions in the Nuclear Regulatory Commission Notice of Violation and Proposed Imposition of Civil Penalty letter dated September 16, 1985.

A) Arrangements have been made so that all radioactive materials received during off-duty hours are delivered directly to the designated receipt area located within the Nuclear Medicine Department.

Item #13, "Procedures for Ordering and Receiving Radioactive Materials," has been amended, per amendment #25, to reflect this new procedure. Under no circumstances will any by-product material be left in an unsecured, unrestricted area within the hospital.

B) 1. A new Capintec CRC-12 dose calibrator has been purchased, received, and placed into service. This equipment addition was reflected in application

dated September 5, 1985 of amendment #25.

2. The dose calibrator will be checked for constancy each day of use with a Cs-137 standard in accordance with Item #10.b.3.b. of license application dated August 5, 1982.

3., 4. A new Eberline E-520 survey meter has been purchased, calibrated and placed into service. Since this instrument has the capability of reading from 0 to 2000 mR/hr, it will be capable of serving as both a high and low level survey instrument. Calibration of the Victoreen 740-F high level survey meter was unsuccessful. However, this instrument, upon repair, will be recalibrated in order to assure that at least one functional, calibrated, high-level meter is available at all times. The Victoreen CDV-700 is operable and along with the new Eberline E-520 instrument, will assure that a calibrated, functional low-level meter will be available at all times.

5. The Radiation Safety Committee confirms that it will abide by Item #7 of license application dated August 6, 1982 and will meet not less than quarterly to conduct its business.

6. Appendix O, of Regulatory Guide 10.8, Revision 1, contained in application dated August 6, 1982 will be followed. A review of the entire radiation safety program, including ALARA consideration, was conducted by Management and the Radiation Safety Committee on August 21, 1985.

7. Survey procedures will be performed in all laboratory areas in accordance with Item #17 of license application dated September 5, 1985.

8. In letter dated September 16, 1985, Notice of Violation and Proposed Imposition of Civil Penalty, paragraph numbered "8" quotes Item #15.3 of application dated August 6, 1982 as stating that "Individuals who prepare doses of radiopharmaceuticals monitor their hands after each procedure and before leaving for the day." This quote is in error. Item #15.3 reads: "Individuals who prepare doses of radiopharmaceuticals shall monitor hands and clothing for contamination after each procedure or before leaving the area." The monitoring of hands and clothing will be performed in accordance with Item #15.3 of application dated August 6, 1982.

9. All packages containing radioactive materials will be opened in accordance with the procedures as contained in Appendix F of Regulatory Guide 10.8, Revision 1, and application dated August 6, 1982.

10. Item #15, Appendix G of Regulatory Guide 10.8, Revision 1, "General Rules for Safe Use of Radioactive Materials," contained in application dated August 6, 1982, will be followed. Specifically, Item 6.a of Appendix G that requires each patient dose to be assayed on a dose calibrator prior to administration will be followed.

C. License Condition 16.B requiring the licensee to monitor radioactive trash prior to disposal in the normal trash to demonstrate that radiation levels are at background levels will be followed.

All procedures as outlined in this letter have been implemented and, thus, correct all previous items of noncompliance.

I trust this letter of response adequately answers those items noted in Nuclear Regulatory Commission correspondence dated September 16, 1985. Should the Nuclear Regulatory Commission have any further questions or comments regarding this response, please do not hesitate to contact me.

Sincerely,

Luis A. Hernandez

Luis A. Hernandez
Administrator

cc: Mr. Thomas T. Martin, Director
Division of Radiation Safety
and Safeguards
Office of Inspection and Enforcement
Region I
U. S. Nuclear Regulatory Commission
631 Park Avenue
King of Prussia, Pennsylvania 19406