

November 5, 1996

Docket No. 030-01250

License No. 06-02388-01

EA No. 96-396

Lawrence A. Tanner, President  
New Britain General Hospital  
100 Grand Street  
New Britain, Connecticut 06050

SUBJECT: NRC OFFICE OF INVESTIGATIONS REPORT NO. 1-96-013

Dear Mr. Tanner:

On April 12, 1996, Special Agent Claudia T. Pietras of the NRC Office of Investigations (OI), Region I, conducted an investigation at your facility to determine whether false entries were made in the New Britain General Hospital dose calibrator constancy record on November 29, 1995. The investigation consisted of interviews with personnel and an examination of the records in question. The OI report indicates that the then Chief Nuclear Medicine Technologist made false entries into a dose calibrator constancy record on November 29, 1995. This is an apparent violation of 10 CFR 30.9. A copy of the OI report synopsis is enclosed (Enclosure 1). This matter was discussed between you and Dr. Mohamed Shanbaky of this office during telephone conversations on October 30, and November 4, 1996.

Based on the results of the OI investigation, the apparent violation is being considered for escalated enforcement action in accordance with the "General Statements of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. A transcribed predecisional enforcement conference to discuss the apparent violation will be held at the NRC Region I office on November 18, 1996 at 10:00 am. Directions to the Region I office are enclosed (Enclosure 2). The decision to hold a predecisional enforcement conference does not mean that the NRC has determined that a violation has occurred or that enforcement action will be taken. This conference is being held to obtain information to enable the NRC to make an enforcement decision, such as a common understanding of the facts, root causes, missed opportunities to identify the apparent violation sooner, corrective actions, significance of the issues, and the need for lasting and effective corrective actions. In addition, this is an opportunity for you to point out any errors in the OI report synopsis and for you to provide any information concerning your perspectives on 1) the severity of the apparent violation, 2) the application of the factors that the NRC considers when it determines the amount of a civil penalty that may be assessed in accordance with Section B.2 of the Enforcement Policy, and 3) any other application of the Enforcement Policy to this case, including the exercise of discretion in accordance with Section VII. A copy of NUREG-1600 is enclosed for your convenience (Enclosure 3).

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L. Tanner  
New Britain General Hospital

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You will be advised by separate correspondence of the results of our deliberations on this matter. No response regarding this letter is required at this time.

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

Your cooperation with us is appreciated.

Sincerely,

Original Signed By:

Charles W. Hehl, Director  
Division of Nuclear Materials Safety

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Enclosures:

1. OI Report No. 1-96-013 Synopsis
2. Directions to the Region I Office
3. General Statements of Policy and Procedures for Enforcement Actions (NUREG-1600)

cc w/enclosures:

Peter J. Mas, M.S., Radiation Safety Officer  
State of Connecticut (Enclosure 1 only)

L. Tanner  
New Britain General Hospital

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Distribution: w/enclosure 1 only

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NAME	LManning	MShanbaky	CHen			
DATE	11/4/96	11/4/96	11/5/96			

## SYNOPSIS

This investigation was initiated by the Nuclear Regulatory Commission (NRC), Office of Investigations, Region I, on April 12, 1996, to determine whether the Chief Nuclear Medicine Technologist (CNMT) at New Britain General Hospital (NBGH) made false entries into a dose calibrator constancy record on November 29, 1995.

Based on the evidence developed during this investigation, it is concluded that the CNMT falsified the dose calibrator constancy record on November 29, 1995.