

NOV 26 1996

CAL No. 1-96-014

Maryanne Spicer, Director
Corporate Compliance
Massachusetts General Hospital
55 Fruit Street
Boston, Massachusetts 02114

SUBJECT: CONFIRMATORY ACTION LETTER

Dear Ms. Spicer:

During an inspection conducted on November 19-22, 1996, by James P. Dwyer and Louis Manning of the NRC Region I office, the inspectors identified several examples of failure to secure, or to maintain under constant surveillance, licensed material that was located in unrestricted areas. Specifically, the inspectors were able to gain access to licensed material in laboratories located in the Wellman Building and in Building 149 (Charlestown Navy Yard) because computerized security systems automatically unlocked building elevators and doors to laboratory areas and no one was present to maintain constant surveillance over the unsecured licensed material.

Pursuant to a telephone conversation between you and Mohamed Shanbaky, Ph.D. of my staff on November 26, 1996, it is our understanding that you will take the following actions which will be completed by the dates specified:

1. Immediately institute controls to improve security of licensed material at the Massachusetts General Hospital (MGH), especially in the Wellman Building and in Building 149 where inadequate security was identified during the current NRC inspection. By December 5, 1996, the NRC Region I office will be provided with a written report describing the specific actions that were taken.
2. By December 16, 1996, you will complete development of a specific, written plan to ensure security of all licensed radioactive material at MGH. The description will specify the method(s) you will use to notify all users of licensed material at MGH of the security requirements to be implemented. A copy of the written plan will be provided to NRC Region I by December 20, 1996.
3. By January 13, 1997, the MGH Radiation Safety Office staff will audit all laboratories where licensed materials are used to determine the status of security of licensed materials. The audit will include an assessment of the security of these materials during evening, early morning, holiday and weekend hours. You will use the results of this audit to assess if the actions you are taking to improve security are effective and appropriate. A report of the audits and the assessment will be provided to the NRC Region I office by January 24, 1997.

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M. Spicer
Massachusetts General Hospital

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Pursuant to Section 182 of the Atomic Energy Act, 42 U.S.C. 2232, you are required to:

- 1) Notify me immediately if your understanding differs from that set forth above;
- 2) Notify me if for any reason you cannot complete the actions within the specified schedule and advise me in writing of your modified schedule in advance of the change; and
- 3) Notify me in writing when you have completed the actions addressed in this Confirmatory Action Letter.

Issuance of this Confirmatory Action Letter does not preclude issuance of an order formalizing the above commitments or requiring other actions on the part of the licensee; nor does it preclude the NRC from taking enforcement action for violations of NRC requirements that may have prompted the issuance of this letter. In addition, failure to take the actions addressed in this Confirmatory Action Letter may result in enforcement action.

The responses directed by this letter are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, Pub. L. No. 96-511.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, and your response will be placed in the NRC Public Document Room (PDR). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

Sincerely,

ORIGINAL SIGNED BY:

F. M. Costello

for

Charles W. Hehl, Director
Division of Nuclear Materials Safety

Docket No. 030-01867
License No. 20-03814-80

cc:
Rex Woodleigh, Radiation Safety Officer
Commonwealth of Massachusetts

M. Spicer
Massachusetts General Hospital

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