



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
1600 EAST LAMAR BOULEVARD
ARLINGTON, TEXAS 76011-4511

June 30, 2022

Mr. Keith Holley
System Director of Ancillary Services
Riverton Memorial Hospital, LLC
dba SageWest Health Care
1320 Bishop Randall Drive
Lander, Wyoming

SUBJECT: NRC ROUTINE INSPECTION REPORT NO. 030-13375/2022-001 AND NOTICE
OF VIOLATION

Dear Mr. Holley:

This letter refers to the unannounced routine inspection conducted on May 5, 2022, at your facility in Lander, Wyoming. During this inspection, the U.S. Nuclear Regulatory Commission (NRC) inspectors examined activities conducted under your license related to public health and safety. Additionally, the inspectors examined your compliance with the Commission's rules and regulations as well as the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews with personnel. A preliminary exit briefing was held with you and members of your staff at the conclusion of the inspection on May 5, 2022; however, the inspection was held open until May 23, 2022, to allow your staff time to determine if additional records were available, at which time your staff indicated that additional records were not available. A final exit briefing was conducted with you, through video conference, on June 24, 2022.

Based on the results of this inspection, the NRC has determined that three Severity Level IV violations of NRC requirements occurred. These violations were evaluated in accordance with the NRC Enforcement Policy, which is included on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violations involved the failure to: (1) review the radiation protection program in accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) Part 20; (2) perform contamination leak tests at the required interval; and (3) perform physical inventories at the required interval. These violations are being cited in the enclosed Notice of Violation (Notice) because the NRC identified the violations during our inspection.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The guidance in NRC Information Notice 96-28, "Suggested Guidance Relating to Development and Implementation of Corrective Action," may be useful in preparing your response. You can find the Information Notice on the NRC website at: <http://www.nrc.gov/reading-rm/doc-collections/gen-comm/info-notice/1996/in96028.html>. Information regarding the reason for the violations, the corrective actions taken and planned to correct the violations and prevent recurrence, and the date when full compliance will be (was)

achieved should be addressed. The NRC review of your response to the Notice will also determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In accordance with the NRC's "Rules of Practice" in 10 CFR 2.390, a copy of this letter, its enclosure, and your response will be made available electronically for public inspection in the NRC's Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC's website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made publicly available without redaction.

Should you have any questions regarding the letter or the enclosed Notice, please contact James Thompson at 817-200-1538, or the undersigned at 817-200-1455.

Sincerely,



Signed by Roldan-Otero, Lizette
on 06/30/22

Lizette Roldán-Otero, PhD, Chief
Materials Inspection Branch
Division of Radiological Safety and Security

Docket No. 030-13375
License No. 49-17813-01

Enclosure:
Notice of Violation

cc w/Enclosure:
Brandi O'Brien
Program Manager
Wyoming Department of Environmental Quality
Land Quality Division
Brandi.OBrien@wyo.gov

SUBJECT: NRC ROUTINE INSPECTION REPORT NO. 030-13375/2022-001 AND NOTICE
OF VIOLATION DATED JUNE 30, 2022

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ADAMS ACCESSION NUMBER: **ML22181A639**

☒ SUNSI Review: ADAMS: ☐ Non-Publicly Available and Sensitive
By: KCB ☒ Yes ☐ No ☒ Publicly Available and non-sensitive

OFFICE	HP:MIB	SHP:MIB	C:MIB			
NAME	KBischoff	JThompson	LRoldánOtero			
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DATE	6/29/2022	6/29/2022	06/30/2022			

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NOTICE OF VIOLATION

Riverton Memorial Hospital, LLC
Lander, Wyoming

Docket No. 030-13375
License No. 49-17813-01

During a U.S. Nuclear Regulatory Commission (NRC) inspection conducted on May 5, 2022, three violations of NRC requirements were identified. In accordance with the NRC Enforcement Policy, the violations are listed below:

- A. 10 CFR 20.1101(c) requires, that the licensee periodically (at least annually) review the radiation protection program content and implementation.

Contrary to the above, from January 8, 2018, to the date of the inspection on May 5, 2022, the licensee failed to periodically (at least annually) review the radiation protection program content and implementation. Specifically, the last review of the radiation protection program was performed on January 8, 2018, a period of time greater than the requirement.

This is a Severity Level IV violation (Section 6.3.d)

- B. 10 CFR 35.67(b)(2) requires, in part, that a licensee in possession of a sealed source shall test the source for leakage at intervals not to exceed 6 months or at other intervals approved by the Commission or an Agreement State in the Sealed Source Device Registry.

Contrary to the above, from January 8, 2018, to the date of the inspection on May 5, 2022, the licensee failed to test sealed sources for leakage at intervals not to exceed 6 months or at other intervals approved by the Commission or an Agreement State in the Sealed Source Device Registry. Specifically, the licensee tested sealed sources annually, an interval in excess of 6 months and not approved by the Commission or an Agreement State in the Sealed Source Device Registry.

This is a Severity Level IV violation (Section 6.7.d.4)

- C. 10 CFR 35.67(g) requires, in part, that a licensee in possession of sealed sources shall conduct a semi-annual physical inventory of all such sources in its possession.

Contrary to the above, from January 8, 2018, to the date of the inspection on May 5, 2022, the licensee failed to conduct a semi-annual physical inventory of all sealed sources in its possession. Specifically, the licensee conducted physical inventories of sealed sources annually, an interval in excess of the semi-annual requirement.

This is a Severity Level IV violation (Section 6.3.d.3)

Pursuant to the provisions of 10 CFR 2.201, Riverton Memorial Hospital, LLC is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, with a copy to Director, Division of Radiological Safety and Security, U.S. Nuclear Regulatory Commission Region IV, 1600 E. Lamar Blvd., Arlington, Texas 76011, and emailed to Lizette.Roldan-Otero@nrc.gov within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply

Enclosure

should be clearly marked as a "Reply to a Notice of Violation; in NRC Inspection Report 030-13375/2022-001" and should include, for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation or severity level; (2) the corrective steps that have been taken and the results achieved; (3) the corrective steps that will be taken; and (4) the date when full compliance will be achieved. Your response may reference or include previously docketed correspondence if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Your response will be made available electronically for public inspection in the NRC Public Document Room or in the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. Therefore, to the extent possible, the response should not include any personal privacy or proprietary information so that it can be made available to the public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information).

In accordance with 10 CFR 19.11, you may be required to post this Notice within 2 working days of receipt.

Dated this 30th day of June 2022