



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

October 25, 2022

Harold F. Palmer, M.C.E.
Radiation Safety Officer
Kaiser Foundation Hospital
Diagnostic Imaging Department
3288 Moanalua Road
Honolulu, HI 96819

SUBJECT: NRC INSPECTION REPORT 030-03546/2022-001; AND NOTICE OF VIOLATION

Dear Harold Palmer:

This letter refers to the unannounced routine inspection that began on June 13, 2022, at your facility in Honolulu, Hawaii. The inspection was an examination of activities conducted under your license as they relate to public health and safety, to confirm compliance with the U.S. Nuclear Regulatory Commission's (NRC's) rules, regulations, and with the conditions of your license. Within these areas, the inspection consisted of a selected examination of procedures and representative records, observation of licensed activities, independent radiation measurements, and interviews with personnel. The inspector discussed the preliminary inspection findings with you and Stephen Hopkins, Regional Director of Kaiser Foundation Hospital, at the conclusion of the onsite inspection on June 14, 2022. A final exit briefing was conducted by telephone with Stephen Hopkins on October 12, 2022.

Based on the results of this inspection, the NRC has determined that one Severity Level IV violation of NRC requirements occurred. The violation was evaluated in accordance with the NRC Enforcement Policy which can be found at the NRC's Web site at <https://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violation is cited in the enclosed Notice of Violation (Notice) because it was identified by the NRC during the inspection. The violation involved the failure to ensure that each administration requiring a written directive was administered in accordance with the written directive.

The NRC has concluded that information regarding: (1) the reason for the violation; (2) the corrective actions that have been taken and the results achieved; and (3) the date when full compliance was achieved is already adequately addressed on the docket in an email from Harold Palmer dated June 15, 2022 (Agencywide Documents Access and Management System (ADAMS) Accession number ML22284A042). Therefore, you are not required to respond to this letter unless the description herein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter, its enclosure, and your response, if any, will be made available electronically for public inspection in the NRC Public Document Room or from ADAMS, accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>.

Should you have any questions regarding this 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 10/25/22

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

License No. 53-05379-01
Docket No. 030-03546

Enclosure:
Notice of Violation (Notice)

cc w/Enclosure:
Thomas Lileikis, Chief
Hawaii State Department of Health
Indoor and Radiological Health Branch
99-945 Halawa Valley Street
Aiea, HI 96701

NRC INSPECTION REPORT 030-03546/2022-001; AND NOTICE OF VIOLATION DATED OCTOBER 25, 2022.

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Document: NRC INSPECTION REPORT 030-03546/2022-001; AND NOTICE OF VIOLATION

ADAMS ACCESSION NUMBER: **ML22298A126**

☒SUNSI Review:

ADAMS:

☐ Non-Publicly Available and Sensitive

By: JLT

☒ Yes ☐ No

☒ Publicly Available and non-sensitive

OFFICE	SHP:MIB	C:MIB				
NAME	JLThompson	LRoldanOtero				
SIGNATURE	JLT	LRO				
DATE	10/12/2022	10/25/22				

OFFICAL RECORD COPY

NOTICE OF VIOLATION

Kaiser Foundation Hospital
Honolulu, Hawaii

Docket No. 030-03546
License No. 53-05379-01

During an NRC inspection performed on June 13-14, 2022, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 35.41(a)(2) requires that for any administration requiring a written directive, the licensee shall develop, implement, and maintain written procedures to provide high confidence that each administration is in accordance with the written directive.

Contrary to the above, on May 18, 2022, the licensee failed to develop, implement, and maintain written procedures to provide high confidence that each administration is in accordance with the written directive. Specifically, the licensee failed to implement their written procedures when they administered a 51.89 millicurie dose of iodine-131 to a patient when the written directive documented that a 100 millicurie dose should have been administered.

The following corrective actions were taken by the licensee to prevent recurrence of this violation: (1) The order for the dose shall only be made from a completed written directive signed by an authorized user. No order shall be made from dose levels in EPIC (the licensee's radioactive materials tracking system) or any other source; (2) The technologist who receives the dose shipment shall thoroughly check the incoming order against the dose specified in the written directive; and (3) The authorized user at the time of administration shall check the dose received against the dose prescribed on the written directive.

This is a Severity Level IV violation. (NRC Enforcement Policy, Section 6.3.d.1)

The NRC has concluded that information regarding: (1) the reason for the violation; (2) the corrective actions that have been taken and the results achieved; and (3) the date when full compliance was achieved is already adequately addressed on the docket in an email from Harold Palmer dated June 15, 2022 (Agencywide Documents Access and Management System (ADAMS) Accession number ML22284A042).

However, Kaiser Foundation Hospital is required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation, Inspection Report 030-03546/2022-001" and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001 with a copy to the Director, Division of Nuclear Materials Safety, 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).

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

Enclosure

If you choose to respond, your response will be made available electronically for public inspection in the NRC's 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, 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 information, 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 25th day of October 2022