



# NRC NEWS

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## **NRC STAFF ISSUES CONFIRMATORY ORDER TO RADIATION SAFETY OFFICER AT KENTUCKY VETERANS AFFAIRS FACILITY**

The Nuclear Regulatory Commission staff has issued a confirmatory order to Michael T. Hackett, a radiation safety officer at the Department of Veterans Affairs (DVA) Center in Lexington, Ky., for failing to implement the radiation safety program in accordance with federal regulations.

The order requires that Hackett provide the NRC and the National Health Physics Program, the oversight body of DVA, with a plan for accomplishing all of his assigned tasks as a radiation safety officer; notify the National Health Physics Program (NHPP) and the NRC within 30 days if he is unable to carry out his duties as radiation safety officer; prepare an article for submittal to a NHPP publication discussing specific ways to prevent the same situation from occurring at other DVA facilities; and inform the NRC should he leave his current position before completing the terms of the order.

“The NRC must be able to rely on individuals assigned to performing key safety functions at NRC-licensed facilities,” said Mark Satorius, Regional Administrator of the NRC Region 3 office in Lisle, Ill. “A radiation safety officer is in the front line of ensuring the safe use of nuclear materials. It is a big responsibility and needs to be taken seriously”

The problem first came to light during a routine inspection of the Lexington VA Center’s Nuclear Medicine Service by the NHPP in September 2007. The inspectors determined that the radiation safety officer failed to carry out key activities.

The NRC Office of Investigations conducted an investigation confirming the findings of the NHPP between April and December 2008.

Based on the results of the NHPP inspection and the NRC investigation, apparent violations were identified which involved the failure to: conduct periodic meetings of the radiation committee; perform annual reviews of the Lexington nuclear medicine program; and complete required training.

The confirmatory order documents Hackett’s commitments to the NRC reached as part of

the NRC's alternative dispute resolution process, which can be selected by the individual or license holder in place of the NRC's traditional enforcement. This process uses a mediator to help the NRC and the license holder/individual find the best way to address the causes of the violations. The alternative dispute resolution process strives to make sure that effective long-term solutions for correcting violations are identified and agreed upon; that the commitment to improvement is made; and that the individual/license holder meets the commitments made to the NRC in a way that ensures the agency's rules and regulations are implemented.

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