



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

April 13, 2007

Docket No. 03037208

License No. 45-31125-02MD

Allen C. Jones, R.Ph.
Radiology Services of Northern Virginia
13870 Park Center Drive
Building #5, Bay #22
Herndon, VA 20171-3216

SUBJECT: INSPECTION 03037208/2007001, RADIOLOGY SERVICES OF NORTHERN VIRGINIA, HERNDON, VIRGINIA SITE AND NOTICE OF VIOLATION

Dear Mr. Jones:

On March 20, 2007, Steven Courtemanche of this office conducted a safety inspection at the above address of activities authorized by your NRC license. The inspection was an examination of your licensed activities as they relate to radiation safety and to compliance with the Commission's regulations and the license conditions. The inspection consisted of observations by the inspector, interviews with personnel, and a selected examination of representative records. The findings of the inspection were discussed with you at the conclusion of the inspection.

Based on the results of this inspection, it appears that your activities were not conducted in full compliance with NRC requirements. A Notice of Violation is enclosed that categorizes the violation by severity level. You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

The item described in the Notice of Violation enclosed with this letter was identified during a previous inspection of your licensed activities and documented in a Notice of Violation enclosed with our letter dated December 24, 2006. From this inspection, it appears that your corrective actions were not effective since the item has recurred. Therefore, in your response to this letter, you should give particular attention to those actions taken or planned to ensure that identified items of noncompliance will be completely corrected and will not recur. In addition, the inspector noted that drivers left shipping papers on the passenger seat of the vehicle when they were away from the vehicle making deliveries. 49 CFR 177.817(e) requires that the shipping paper be readily available to, and immediately recognizable by, authorities in the event of an accident or inspection. We believe that your drivers are meeting this requirement; however, 49 CFR 177.817(e)(2)(ii) further specifies that, when the driver is not at the vehicle's controls, the shipping paper shall be stored in a holder which is mounted on the inside of the door on the driver's side of the vehicle or on the driver's seat in the vehicle. While leaving the

shipping papers on the passenger seat when the driver is out of the vehicle is a violation, it is a minor violation which, in accordance with the NRC's Enforcement Policy, is not formally cited. This minor violation is only being documented because it is similar to a violation identified during the previous inspection. It is our understanding from the exit meeting conducted on March 20, 2007, that there will be periodic accompaniments of drivers to monitor compliance with the regulations.

Current NRC regulations are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, Academic, and Industrial Uses of Nuclear Material**; then **Toolkit Index Page**. The current Enforcement Policy is included on the NRC's website at www.nrc.gov; select **What We Do, Enforcement**, then **Enforcement Policy**. Or you may obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 8:00 p.m. EST, Monday through Friday (except Federal holidays).

Your cooperation with us is appreciated.

Sincerely,

Original signed by James P. Dwyer

James P. Dwyer, Chief
Commercial and R&D Branch
Division of Nuclear Materials Safety

Enclosure:
Notice of Violation

cc:
Commonwealth of Virginia

shipping papers on the passenger seat when the driver is out of the vehicle is a violation, it is a minor violation which, in accordance with the NRC's Enforcement Policy, is not formally cited. This minor violation is only being documented because it is similar to a violation identified during the previous inspection. It is our understanding from the exit meeting conducted on March 20, 2007, that there will be periodic accompaniments of drivers to monitor compliance with the regulations.

Current NRC regulations are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, Academic, and Industrial Uses of Nuclear Material**; then **Toolkit Index Page**. The current Enforcement Policy is included on the NRC's website at www.nrc.gov; select **What We Do, Enforcement**, then **Enforcement Policy**. Or you may obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-888-293-6498. The GPO is open from 7:00 a.m. to 8:00 p.m. EST, Monday through Friday (except Federal holidays).

Your cooperation with us is appreciated.

Sincerely,

Original signed by James P. Dwyer

James P. Dwyer, Chief
Commercial and R&D Branch
Division of Nuclear Materials Safety

Enclosure:
Notice of Violation

cc:
Commonwealth of Virginia

Distribution:
D. J. Holody, RI

ADAMS Accession Number: ML071070200
DOCUMENT NAME: C:\FileNet\ML071070200.wpd

SUNSI Review Complete: SCourtemanche

After declaring this document "An Official Agency Record" it will be released to the Public.

To receive a copy of this document, indicate in the box: "C" = Copy w/o attach/encl "E" = Copy w/ attach/encl "N" = No copy

OFFICE	DNMS/RI	<input checked="" type="checkbox"/> N	DNMS/RI	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NAME	Scourtemanche/jpd f/		JDwyer/jpd				
DATE	04/13/2007		04/13/2007				

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

Radiology Services of Northern Virginia
Herndon, VA

Docket No. 03037208
License No. 45-31125-02MD

During an NRC inspection conducted on March 20, 2007, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 19.12 requires, in part, that all individuals working in a restricted area be instructed in the procedures to minimize exposure to radioactive materials, in the purpose and functions of protective devices employed, and in the applicable provisions of the Commission's regulations and conditions of the licenses.

Contrary to the above, as of March 20, 2007, individuals who were working in the radiopharmaceutical preparation and distribution areas, restricted areas, had not been adequately instructed in the precautions and procedures to minimize exposure to radioactive materials, in the purpose and functions of protective devices employed, and in the applicable provisions of the Commission's regulations and the conditions of the license. Specifically, observations of a pharmacy technician by the inspector noted that the technician was holding the syringe shield inappropriately while filling an order for a radiopharmaceutical, causing unintended radiation exposure to the technician's hands; and an interview of personnel and a review of documents concerning the performance of radiological surveys for the detection of contamination revealed an inadequate knowledge of the use of counting equipment in that staff failed to account for the efficiency of the instrumentation.

This is a Severity Level IV violation (Supplement IV).

Pursuant to the provisions of 10 CFR 2.201, Radiology Services of Northern Virginia is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, Region I, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous 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 to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, any response which contests an enforcement action shall be submitted under oath or affirmation.

Your response will be placed in the NRC Public Document Room (PDR) and on the NRC Web site. To the extent possible, it should, therefore, not include any personal privacy, proprietary, or safeguards information so that it can be made publically available 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.

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

Dated This 13 day of April 2007