

July 30, 2012

Mr. Stephen K. Benedict, Director
Occupational Safety & Environmental Health
University of Michigan
Campus Safety Services Building
1239 Kipke Drive
Ann Arbor, Michigan 48109-1010

SUBJECT: ERRATA FOR NOTICE OF VIOLATION DATED JULY 17, 2012 – REGENTS
OF THE UNIVERSITY OF MICHIGAN

Dear Mr. Benedict:

This is an errata to correct the U. S. Nuclear Regulatory Commission (NRC) Notice of Violation (Notice) sent to you on July 17, 2012. The two radiopharmaceuticals mentioned in the second sentence of the second indented paragraph of the Notice were inadvertently switched.

Enclosed is the revised Notice that correctly presents the specifics of the violation. We regret any inconvenience this may have caused.

In accordance with Title 10 of the Code of Federal Regulations 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Should you have any questions concerning this errata, we will be pleased to discuss them with you.

Sincerely,

/RA/

Tamara E. Bloomer, Chief
Materials Inspection Branch
Division of Nuclear Materials Safety

Docket No. 030-01988
License No. 24-00215-04

Enclosure:
As stated

cc w/encl: State of Michigan

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*See previous concurrence

ADAMS Accession Number: ML12213A719

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DATE	07/30/12		07/30/12					

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

Regents of the University of Michigan
Ann Arbor, Michigan

Docket No. 030-01988
License No. 21-00215-04

During a U.S. Nuclear Regulatory Commission (NRC) inspection conducted on May 24, 2012, with continued U.S. Nuclear Regulatory Commission (NRC) in-office review through June 26, 2012, the NRC inspector identified one violation of NRC requirements. In accordance with the NRC Enforcement Policy, the violation is listed below:

Title 10 of the Code of Federal Regulations (CFR) 35.63(d) states that, unless otherwise directed by an authorized user, a licensee may not use a dosage if the dosage does not fall within the prescribed dosage range or if the dosage differs from the prescribed dosage by more than 20 percent.

Contrary to the above, on May 17, 2012, the licensee used a dosage that differed from the prescribed dosage by more than 20 percent without approval from an authorized user. Specifically, the licensee administered a 25-millicurie (mCi) dosage of technetium-99m methylene diphosphonate when a 3-mCi dosage of technetium-99m sulfur colloid was prescribed, a difference of more than 20 percent of the radioactive material prescribed.

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

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence, and the date when full compliance was achieved is already adequately addressed on the docket in Inspection Report 03001988/2012002(DNMS); however, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect all of 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" and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001 with a copy to the Regional Administrator, Region III, within 30 days of the date of the letter transmitting this Notice of Violation.

If you choose to respond, 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 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.

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.

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

Dated this 17th day of July 2012.