APPENDIX

NOTICE OF VIOLATION

Muskogee Regional Medical Center
Muskogee, Oklahoma

Docket: 30-02922/89-01
License: 35-13157-01

During an NRC inspection conducted on October 6, 1989, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1989) (Enforcement Policy), the violations are listed below:

1. 10 CFR 35.21(b)(3) requires that the Radiation Safety Officer (RSO) brief management once each year on the byproduct material program.

   Contrary to the above, during interviews with the licensee's management representative and RSO conducted on October 6, 1989, the inspector determined that annual management briefings had not been conducted during the period from January 1987 through October 1989.

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

2. 10 CFR 35.22(a)(3) requires that in order to establish a quorum and to conduct business, at least one-half of the Radiation Safety Committee's (RSC) membership must be present, including the RSO and the management's representative.

   Contrary to the above, during the inspection conducted on October 6, 1989, the inspector determined that the RSO had been absent from all but two of the quarterly RSC meetings conducted during the period from November 1986 through July 1989.

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

3. 10 CFR 35.50(b)(3) requires, in part, that a licensee shall test each dose calibrator for linearity upon installation and at least quarterly thereafter over the range of its use between the highest dosage that will be administered to a patient and 10 microcuries.

   Contrary to the above, the inspector observed that quarterly linearity tests performed on the licensee's Capintec dose calibrator were performed using source activities ranging from 200 millicuries to 450 microcuries during the period from July 1986 until the date of the inspection. The licensee did not test the instrument for linearity at activity levels below 450 microcuries even though they routinely administered patient doses as low as 15 microcuries.

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

4. 10 CFR 35.51(a) requires, in part, that a licensee shall calibrate survey instruments annually and following repair. This calibration shall include

two separate readings on all scales with readings up to 1000 millirem per hour.

Contrary to the above, the licensee had failed to perform calibrations on one survey instrument, Victoreen Model 740-F, Serial Number 2209, that included two points on each scale reading up to 1000 millirem per hour. The remaining scales on the instrument had been properly calibrated.

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

5. 10 CFR 35.59(g) and (h) require, in part, that a licensee shall (1) conduct quarterly physical inventories of brachytherapy sources; and (2) measure the ambient dose rates quarterly in all areas where such sources are stored.

Contrary to the above, the inspector determined that during the period from July 1986 until the date of this inspection, physical inventories of 18 cesium-137 brachytherapy sources and surveys of the area used to store brachytherapy sources had not been performed.

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

6. 10 CFR 35.53(c) requires that records of the measurement of radiopharmaceutical dosages contain: (1) generic name, trade name, or abbreviation of the radiopharmaceutical, its lot number, and expiration dates and the radionuclide; (2) patient's name, and identification number if one has been assigned; (3) prescribed dosage and activity of the dosage at the time of measurement, or a notation that the total activity is less than 10 microcuries; (4) date and time of the measurement; and (5) initials of the individual who made the record.

Contrary to the above, during the inspection conducted on October 6, 1989, the inspector observed that records of the measurement of radiopharmaceutical doses did not include: (1) the name of the radiopharmaceutical; (2) the lot number; and (3) the expiration date of the radionuclide.

This is a Severity Level V violation. (Supplement VI)

Pursuant to the provisions of 10 CFR 2.201, Muskogee Regional Medical Center is hereby required to submit to this office, within 30 days of the date of the letter transmitting this Notice, a written statement or explanation in reply, including for each violation: (1) the reason for the violation if admitted, (2) the corrective steps which have been taken and the results achieved, (3) the corrective steps which will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending the response time.

Dated at Arlington, Texas,
this 9th day of November 1989