

APPENDIX A

NOTICE OF VIOLATION

Mt. Desert Island Biological Laboratory  
Salsbury Cove, Maine 04672

Docket No. 030-14873  
License No. 18-11660-02

As a result of the inspection conducted on July 31, August 1 and 2, 1989, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (Enforcement Policy) (1988), the following violations were identified:

- A. 10 CFR 20.207(a) requires that licensed materials stored in an unrestricted area be secured against unauthorized removal from the place of storage. 10 CFR 20.207(b) requires that materials not in storage be under constant surveillance and immediate control of the licensee. As defined in 10 CFR 20.3(a)(17), an unrestricted area is any area access to which is not controlled by the licensee for purposes of protection of individuals from exposure to radiation and radioactive materials. Also item 13 of the application entitled "Facilities" describes the gamma pit as a locked lined pit in which gamma emitters are stored.

Contrary to the above, on August 1, 1989, the inspector found the gamma pit, which contained microcurie quantities of unsealed radioactive sources, was unlocked and not under constant surveillance and immediate control of the licensee. The gamma pit is located in a unrestricted portion of the facility.

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

- B. Condition 21 of License No. 18-11660-02 requires that licensed material be possessed and used in accordance with the statements, representations and procedures contained in an application dated September 27, 1978.
1. Attached to the application dated September 27, 1989 is a document entitled "Radiation Safety Regulation "
- a. Section 2.(d) of this document prohibits drinking in areas where radioactive materials are handled and used.

Contrary to the above, on August 1, 1989 the inspector determined by observation and by interviews of researchers that drinking was permitted in the Kidney Shed Laboratory where iodine-125 was used.

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- b. Section 2.(c) of this document requires that individual users monitor with appropriate swabbing procedures and/or survey meters, their own working areas on a regular basis.

Contrary to the above, as of August 1, 1989, personnel working in Hegner I Laboratory who use carbon-14, tritium, and rubidium-86 do not monitor their working areas with appropriate swabbing and/or survey meters.

These are Severity Level IV violations. (Supplement IV)

2. Item 13 of the application entitled "Facilities" describes the isotope storage shed as the designated storage facility for byproduct material waste.

Contrary to the above, as of August 1, 1989, the inspector determined that two 55 gallon barrels containing radioactive waste were stored in the alcohol storage shed, a location not authorized by the license.

- C. 10 CFR 20.201(b) requires that each licensee make such surveys as may be necessary to comply with all sections of Part 20. As defined in 10 CFR 20.201(a), "survey" means an evaluation of the radiation hazards incident to the production, use, release, disposal, or presence of radioactive materials or other sources of radiation under a specific set of conditions.

Contrary to the above, adequate surveys were not made to assure compliance with 10 CFR 20.105(b) which limits radiation levels in unrestricted areas. Specifically on July 31, 1989 the inspector found measurable radiation levels outside of the alcohol storage shed, a building that was not authorized by the licensee for the storage of radioactive waste and which had not been evaluated for compliance with 10 CFR 20.105.

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

Pursuant to the provisions of 10 CFR 2.201, Mt. Desert Island Biological Laboratory is hereby required to submit to this office within thirty days of the date of the letter which transmitted this Notice, a written statement or explanation in reply, including: (1) the corrective steps which have been taken and the results achieved; (2) corrective steps which will be taken to avoid further violations; and (3) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending this response time.