

NOTICE OF VIOLATION

Michael Lala, M.D.  
23800 Orchard Lake Road  
Farmington Hills, MI 48024

License No. 21-24380-01

As a result of the inspection conducted on August 23-25, 1989, and in accordance with 10 CFR Part 2, Appendix C, General Statement of Policy and Procedure for NRC Enforcement Actions, 10 CFR Part 2, Appendix C, (1989), the following violations were identified:

1. License Condition No. 15 requires that the licensee conduct its program in accordance with statements, representations, and procedures contained in certain referenced documents. The referenced application dated August 29, 1984, requires in Item No. 14 that all packages containing radioactive material be surveyed at three feet and the surface and that a wipe test of the final source container be performed.

Contrary to the above, from January 5, 1988, to January 24, 1989, the licensee failed to perform surveys at three feet and the surface and to perform wipe tests of packages containing radioactive materials received at the Wayne Westland facility.

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

2. 10 CFR 30.51(a) requires that each person who receives byproduct material pursuant to the regulations of Part 31 through 35 of this chapter keep records of receipt, transfer, and disposal of byproduct material.

Contrary to the above, the licensee failed to maintain records of receipt and transfer of byproduct material from May 1987, through July 3, 1989, at the Garden City facility and from September 25, 1988 through April 1989, at the Wayne Westland facility.

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

3. License Condition No. 15 requires that the licensee conduct its program in accordance with statements, representations, and procedures contained in certain referenced documents. The referenced application dated August 29, 1984, requires in Item No. 10 that for the licensee's dose calibrator a constancy test be performed on days of use, linearity tests quarterly, accuracy tests annually, and geometrical variation upon installation. Records are to be maintained of these tests.

Contrary to the above, from May 15, 1987, through September 1, 1988, the licensee failed to maintain records of constancy tests performed at the Garden City facility.

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

4. License Condition No. 17(a)(1) requires that each sealed source containing licensed material, other than hydrogen-3, with a half-life greater than thirty days and in any form other than gas be tested for leakage and for contamination at intervals not to exceed six months.

Contrary to the above, the licensee failed to conduct leak tests of their cesium-137 calibration source used at the Wayne Westland facility, from January 13, 1987, to August 19, 1987, an interval greater than six months.

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

5. 10 CFR 20.401(b) requires that each licensee maintain records showing the results of surveys required by 10 CFR 20.201(b).

Contrary to the above, from September 1984, until June 5, 1989, the licensee failed to maintain records of surveys performed at the Wayne Westland facility prior to disposal of waste to assure compliance with 20.301 which describes authorized means of disposing of radioactive waste.

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

Pursuant to the provisions of 10 CFR 2.201, you are required to submit to this office within thirty days of the date of this Notice a written statement or explanation in reply, including for each violation: (1) the corrective steps that have been taken and the results achieved; (2) the corrective steps that will be taken to avoid further violations; and (3) the date when full compliance will be achieved. Consideration may be given to extending your response time for good cause shown.

October 23, 1989  
Dated

Bruce S. Mallett  
Bruce S. Mallett, Ph.D., Chief  
Nuclear Materials Safety Branch