

ENCLOSURE 1

NOTICE OF VIOLATION

University of Puerto Rico
San Juan, PR

Docket Nos. 030-13584; 030-14810
License Nos. 52-01946-07; 52-01946-08

During the Nuclear Regulatory Commission (NRC) inspection conducted on August 29, 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), the violations are listed below:

License No. 52-01946-07

- A. 10 CFR 20.201(b) requires that each licensee make such surveys as may be necessary to comply with the regulations of Part 20 and which are reasonable under the circumstances to evaluate the extent of radiation hazards that may be present. 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, no survey was performed to determine the radiation exposure received by a patient and other individuals following an incident on May 12, 1989, when a patient undergoing brachytherapy treatment removed the cesium-137 sources, and placed them in a night stand in the room.

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

License No. 52-01946-08

- B. 10 CFR 35.632(f) requires that the annual full calibration of a cobalt-60 teletherapy unit be performed by the licensee's teletherapy physicist. License Condition 11.B, Amendment No. 3, dated May 22, 1989, specifies the licensee's teletherapy physicist by name.

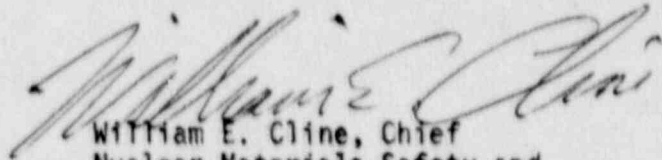
Contrary to the above, on June 9, 1989, the annual full calibration of the cobalt-60 teletherapy unit was not performed by the designated teletherapy physicist.

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

Pursuant to the provisions of 10 CFR 2.201, University of Puerto Rico is hereby required to submit a written statement or explanation to the Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555, with a copy to

the Regional Administrator, Region II, within 30 days of the date of the letter transmitting this Notice. This reply should be clearly marked as a "Reply to a Notice of Violation" and should include [for each violation]: (1) admission or denial of the violation, (2) the reason for the violation if admitted, (3) the corrective steps which have been taken and the results achieved, (4) the corrective steps which will be taken to avoid further violations, and (5) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending the response time. If an adequate reply is not received within the time specified in this Notice, an order may be issued to show cause why the license should not be modified, suspended, or revoked or why such other action as may be proper should not be taken.

FOR THE NUCLEAR REGULATORY COMMISSION



William E. Cline, Chief
Nuclear Materials Safety and
Safeguards Branch
Division of Radiation Safety
and Safeguards

Dated at Atlanta, Georgia
this 12th day of October 1989