

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Dennis I. Maehara, M.D., Inc. (EA 89-160)
Honolulu, Hawaii
Docket No. 53-23290-01 **30-30919**

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY -

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$250 will be issued on or about November 2, 1989 to Dennis I. Maehara, M.D., Inc. This action is based on a violation involving an extremity exposure to the tip of the finger in excess of the quarterly allowable limit of 18.75 rems and the failure to follow procedures for the cleaning of a strontium-90 eye applicator which lead to the extremity exposure. These violations are of concern as they demonstrate the need for the licensee to follow the step-by-step safety procedures of the manufacturer in handling the source and the licensee's lack of knowledge as to the penetrating power of the radiation emitted by the source.

The mitigation/escalation factors in the Enforcement Policy were considered and a 50% mitigation of the base civil penalty was deemed appropriate based on the licensee's prompt and extensive corrective actions. Other factors were not applicable.

It should be noted that the licensee has not been specifically informed of the enforcement action. The schedule of issuance and notification is:

Mailing of Notice November 2, 1989
Telephone Notification of Licensee November 2, 1989

The State of Hawaii will be notified.

The licensee has thirty days from the date of the Notice in which to respond. Following NRC evaluation of the response, the civil penalty may be remitted, mitigated, or imposed by Order.

Contact: J. Johansen, OE, 23282 J. Lieberman, OE, 20741

Distribution

OWFN 1120
Chairman Carr
Comm. Roberts
Comm. Rogers
Comm. Curtiss
SECY
ACRS
CA
GPA

OWFN 1120
EDO
DEDR
DEDS
OE
NMSS
NRR
OI
SP
OGC

MNBB 1120
RM
AEOD

B911080104 B91030
PDR I&E PNU
EN-89-101

Regional Offices
RI 1120 RIV 1120
RII 1120 RV 1120
RIII 1120

MAIL
ADM: Doc. Mgt. Br.
PDR
RES
OIG