

APPENDIX A

NOTICE OF VIOLATION

Hospital of St. Raphael

Docket Nos. 30-1238  
30-1238  
40-8050

Based on the result of an NRC inspection conducted on April 15 and 16, 1980, it appears that certain of your activities were not conducted in full compliance with NRC regulations and the conditions of your license as indicated below.

- A. 10 CFR 20.201(b) requires that you make such surveys as may be necessary for you 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.
1. Contrary to this requirement, as of April 16, 1980, you failed to make such surveys as were necessary to assure compliance with that part of 10 CFR 20.101 that limits the radiation exposure to the whole body and extremities of individuals. Specifically, the physician who implants brachytherapy sources does not wear the ring TLD assigned to him and no other estimates of his extremity exposure has been made. Additionally, no surveys of the dose to nurses who administer routine care to patients with implanted brachytherapy have been made.
  2. Contrary to this requirement, you failed to make such surveys as were necessary to assure compliance with 10 CFR 20.301, a regulation that describes authorized means of disposing of licensed material contained in waste. Specifically, on April 15, 1980, you failed to adequately survey for licensed materials in trash cans and in shipping containers prior to disposing of their contents to the normal trash.

These are infractions.

- B. 10 CFR 19.12 requires, that you instruct all individuals working in your restricted areas, in the applicable provisions of the Commission's regulations and licenses.

Contrary to this requirement, on the days of the inspection, April 15 and 16, 1980, individuals who were working in your restricted areas had not been instructed in the applicable provisions of the regulations and the conditions of your license.

Specifically, Nuclear Medicine personnel had not been instructed in your complete package opening procedures nor in the required procedures for properly monitoring their persons for contamination after working in areas where licensed material was used. Additionally, you failed to instruct your nursing staff who care for patients with implanted brachytherapy sources in the applicable procedures for nursing care of such patients.

This is an infraction.

- C. Condition 18 of your license requires that licensed material be possessed and used in accordance with the statements, representations and procedures contained in applications dated August 23, 1977 and November 7, 1977 and a letter dated February 10, 1978.

1. Item 4.E of your "Rules for Handling Radioisotopes" included with the letter dated February 10, 1978 requires that personnel who work in areas where licensed material is used monitor their hands after each procedure.

Contrary to this requirement, on the day of the inspection, April 15, 1980, your Nuclear Medicine personnel failed to monitor as required. This was identified by our inspector through independent measurements, which demonstrated that your personnel had contaminated hands and were unaware of the contamination.

2. The February 10, 1978 letter states you will comply with Appendix I of NUREG 0338, Rev.1. Item A of Appendix I requires daily surveys of elution, preparation and injection areas.

Contrary to this requirement, as of the day of the inspection, April 15, 1980, you failed to make the required surveys.

3. Item 6 of 11 in Supplement 5.A to your application dated November 7, 1977 requires that you perform a daily constancy check on your dose calibrator.

Contrary to this requirement, as of the date of the inspection, April 15, 1980, you have failed to perform the required daily constancy checks.

These are infractions.