

**SCHOENHERR MEDICAL ASSOCIATES, P.C.**

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TELEPHONE 756-5800

D. CHARBONIER, M.D.  
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J. RODRIGUEZ, M.D.  
M. ALVAREZ, M.D.

November 7, 1989

United States  
Nuclear Regulatory Commission  
Attn: R. J. Caniano  
Chief, Nuclear Materials Safety  
799 Roosevelt Road  
Glen Ellyn, IL 60137

Dear Mr. Caniano:

In response to the violation found during our routine safety inspection conducted by J.W. Patterson on September 14, 1989, I would like to offer the following explanation, along with corrective steps, and when full compliance was achieved.

During the period shortly before Mr. Patterson's inspection our office underwent a change in staff in our nuclear department. Our previous technologist was taking care of NRC records. Our new technologist was reviewing NRC Regulations on site, and compliance as such. This technologist found that methods of daily and weekly surveys were not to his liking as he felt that your commission would not approve. This technologist was trying to develop a more suitable, and accurate method of surveying. Using the current method of daily survey was with a general background reading of the nuclear lab. Anything less was recorded as zero. Our technologist felt that the actual reading would be more appropriate. Weekly wipes were similar in as much as a random wipe was used to establish "normal" background radiation, and all consecutive area wipes of a lesser value were considered zero. Again our new technologist felt that the actual wipe reading should be documented. At this time our NRC inspection became due. The inspector, Mr.

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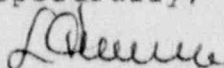
Mr. R.J. Caniano  
November 7, 1989  
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Continued

Patterson went over this violation with our technologist, and advised him that the method of indication exact readings would be acceptable.

The following corrective steps have been initiated, and are being enforced at my office:

1. Daily surveys and weekly wipe tests are being performed as per referenced application.
2. Medical Physic Consultants firm will oversee our compliance on a quarterly basis. In instances of changes in staff, Medical Physic will be called in to personally conduct the training of new personal to meet NRC requirements.
3. Full compliance has been achieved as of the date of this letter.

Respectfully,



Luis Charbonier, M.D. RSO  
Ronald Kahler, CNMT  
Nuclear Medicine Technologist



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION III  
799 ROOSEVELT ROAD  
GLEN ELLYN, ILLINOIS 60137

OCT 11 1989

Luis Charbonier, M.D.  
27101 Schoenherr Road  
Warren, MI 48093

License No. 21-13388-01

Gentlemen:

This refers to the routine safety inspection conducted by J. W. Patterson of this office on September 14, 1989, of activities authorized by MRC Byproduct Material License No. 21-13388-01 and to the discussion of our findings with you and members of your staff at the conclusion of the inspection.

The inspection was an examination of activities conducted under your license as they relate to radiation safety and to compliance with the Commission's rules and regulations and with the conditions of your license. The inspection consisted of a selective examination of procedures and representative records, observations, independent measurements, and interviews with personnel.

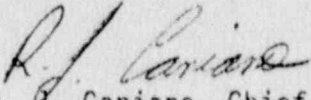
In addition to the above areas, the inspector examined actions described in your letter dated June 11, 1983, regarding apparent violations found during our April 18, 1983, inspection. We have no further questions regarding these matters.

During this inspection, certain of your activities appeared to be in violation of NRC requirements, as specified in the enclosed Notice. A written response is required.

The responses directed by this letter and the accompanying Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

We will gladly discuss any questions you have concerning this inspection.

Sincerely,

  
R. G. Caniano, Chief  
Nuclear Materials Safety  
Section 2

Enclosure: Notice of Violation

cc w/enclosure:  
DCD/DCB (RIDS)

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NOTICE OF VIOLATION

Luis Charbonier, M.D.

License No. 21-13388-01

As a result of the inspection conducted on September 14, 1989, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, (1989) (Enforcement Policy) the following violation was identified:

License Condition 15.A, requires that licensed material be possessed and used in accordance with statements, representations, and procedures contained in an application dated April 30, 1985. The referenced application states that all elution, preparation, and injection areas will be surveyed daily and weekly wipe tests will be performed to measure contamination levels.

[ Contrary to the above, from July 31 to September 14, 1989, no area surveys or wipe tests were performed by the licensee in any laboratory areas.

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

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.

September 27, 1989

Dated

R. J. Caniano  
R. J. Caniano, Chief  
Nuclear Materials Safety  
Section 2