APPENDIX

NOTICE OF VIOLATION

Elk View General Hospital
Hobart, Oklahoma

Docket: 30-22215/89-01
License: 35-23461-01

During an NRC inspection conducted on August 24-25, 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) (Enforcement Policy), the violations are listed below:

1. 10 CFR 35.33(c) requires that in the event of a diagnostic misadministration the licensee notify the NRC in writing within 15 days.

   Contrary to the above, a diagnostic misadministration occurred between November 13, 1985, and March 19, 1986, and the NRC was not notified.

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

2. License Condition 16 requires that licensed material be possessed and used in accordance with statements, representations, and procedures contained in the application dated July 27, 1984.

   a. Application Appendix O entitled "Model Program for Maintaining Occupational Radiation Exposures at Medical Institutions ALARA," states that the radiation safety officer (RSO) will perform an annual review of the radiation safety program, a quarterly review of occupational exposures, and a quarterly review of records of radiation level surveys.

      Contrary to the above, the RSO had not conducted these reviews since 1984.

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

   b. Block 12 of the application requires that inservice education be conducted at least annually.

      Contrary to the above, this training had not been conducted annually since 1985.

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

   c. Block 10 of the application requires that survey instruments be calibrated in accordance with the procedures in Appendix D, Section 1, Regulatory Guide 10.8, Revision 1.

      Item A.3 of Appendix D, Section 1, requires that survey meters be calibrated at least annually and after servicing.

Contrary to the above, a survey meter had not been calibrated between June 28, 1984, and March 16, 1987, a period of more than 1 year.

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

d. Block 10 of the application requires that dose calibrators be calibrated in accordance with procedures contained in Appendix D, Section 2, of Regulatory Guide 10.8, Revision 1.

(1) Item A.3 of Appendix D, Section 2, requires that dose calibrator linearity be determined at installation and quarterly thereafter.

Contrary to the above, dose calibrator linearity was not determined from 1984 to July 10, 1989.

(2) Item A.2 of Appendix D, Section 2, requires that instrument accuracy be determined at installation and annually thereafter.

Contrary to the above, dose calibrator accuracy was not determined from October 1984 to July 10, 1989.

(3) Item B of Appendix D, Section 2, requires that after repairing a dose calibrator, tests of instrument linearity, accuracy, and geometry are to be performed.

Contrary to the above, on August 16, 1988, after receiving the dose calibrator from repairs, the required tests were not performed.

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

e. Block 14 of the application requires that packages containing radioactive material be opened in accordance with the procedures in Appendix F of Regulatory Guide 10.8, Revision 1.

(1) Item 1 of Appendix F requires that the package be monitored as soon as practicable after receipt, but no later than 3 hours after the package is received at the licensee's facility if received during the licensee's normal working hours, or 18 hours if received after normal working hours.

Contrary to the above, generators have been delivered to the licensee on Saturday and surveyed and opened on Monday, a period longer than 18 hours.

(2) Item 3 of Appendix F requires that records of the results of checking each package be maintained using "Radioactive Shipment Receipt Record" or a form containing the same information.

Contrary to the above, these results had not been recorded since October 1984.

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

3. 10 CFR 35.22(a)(4) requires, in part, that the minutes of each radiation safety committee (RSC) meeting identify members present and members absent.

   Contrary to the above, the minutes for all the meetings of the RSC did not include this item.

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

4. 10 CFR 35.92(b) requires that records of disposal of byproduct material held for decay-in-storage be retained for 3 years and include the date of the disposal, the date on which the byproduct material was placed in storage, the radionuclides disposed, the survey instrument used, the background dose rate, the dose rate measured at the surface of each waste container, and the name of the individual who performed the disposal.

   Contrary to the above, as of August 25, 1989, the records of disposal of byproduct material held for decay-in-storage did not include any of the above information.

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

Pursuant to the provisions of 10 CFR 2.201, Elk View General Hospital is hereby required to submit to this office, within 30 days of the date of the letter transmitting this Notice, a written statement or explanation in reply, including for each violation: (1) the reason for the violation if admitted, (2) the corrective steps which have been taken and the results achieved, (3) the corrective steps which will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending the response time.

Dated at Arlington, Texas,
this 7th day of December 1989