

NOTICE OF VIOLATION

Mercy-Memorial Medical Center  
Benton Harbor, Michigan

License No. 21-04177-02

As a result of the inspection conducted on January 9, 1990, 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:

10 CFR 35.59(b)(2) requires that a licensee in the possession of a sealed source shall test the source for leakage at intervals not to exceed six months.

Contrary to the above, from May 21, 1988 through July 19, 1989, the licensee failed to test their cobalt-60 teletherapy source for leakage.

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.

January 23, 1990  
Dated

Gary L. Shear for  
Roy J. Caniano, Chief  
Nuclear Materials Safety  
Section 2

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