

NOTICE OF VIOLATION

Northern Michigan Hospitals
Petosky, MI

License No. 21-16732-01

As a result of the inspection conducted on February 6 and 7, 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 violations were identified:

1. License Condition No. 11 names M. T. Sunday, M.D., as the Radiation Safety Officer.

Contrary to the above, since January 26, 1990, an individual other than Dr. Sunday has been serving as the licensee's Radiation Safety Officer.

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

2. 10 CFR 35.22(a)(3) requires that a quorum of at least half of the members of the Radiation Safety Committee, including the Radiation Safety Officer and representative of management be present for the committee to conduct business.

Contrary to the above, on October 20, 1988, July 13, 1989 and November 16, 1989, the Radiation Safety Committee met and conducted business and the Radiation Safety Officer and the representative of management were not present. In addition, the committee met on January 19, 1989 and on May 25, 1989, and the representative of management was not present.

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

3. 10 CFR 35.59(g) requires a licensee in possession of a sealed source or a brachytherapy source to conduct a quarterly physical inventory of all such sources in its possession.

Contrary to the above, from July 13, 1989 through February 6, 1990, the licensee did not conduct a quarterly physical inventory of brachytherapy sealed sources and a 1.2 curie cesium-137 calibration source.

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

4. 10 CFR 35.59(a)(2) requires a licensee in possession of a sealed source to test the source for leakage at intervals not to exceed six months or at other intervals approved by the Commission or an Agreement State.

Contrary to the above, from May 22, 1987 through February 7, 1990, the licensee did not perform tests for leakage at intervals of six months for several cesium-137 brachytherapy sources and one cesium-137 calibration source.

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

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- 5.- 10 CFR 35.51(a) requires a licensee to calibrate the survey instruments used to show compliance with this part before first use, annually, and following repair.

Contrary to the above, from June 6, 1988 through February 7, 1990, the licensee did not calibrate a survey instrument that was used nine times from June, 1989 to February 7, 1990, to show compliance with 10 CFR 35.404 and 10 CFR 35.415.

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.

Dated

February 20, 1990

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