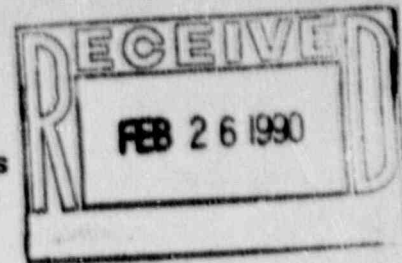


Saint Francis Hospital
Department of Biomedical Physics
6161 S. Yale Ave.
Tulsa, OK 74136
918-494-1444



February 20, 1990

United States Nuclear Regulatory Commission
Region IV
611 Ryan Plaza Drive, Suite 1000
Arlington, Texas 76011

Dear Sirs:

Thank you for your letter of February 12 indicating certain violations noted during your recent unannounced radiation safety inspection. In response to your letter we would like to file the following information.

1. The reason for the violation was our understanding of 49 CFR requirements. Our Mo/Tc-99m generators are stored for in excess of 20 molly half lives. Thus, the amount of radioactive material generally contained in a returned generator is on the order of only a few microcuries. We now understand that the NRC has some concern for longer lived isotopes that may be in the generators due to the fision process.
2. To correct this erroneous understanding, we are now surveying the generators before they are returned and recording the results of our survey. This assures that external radiation levels are within allowable limits for the package label.
3. The corrective step taken to avoid further violations was to bring this matter to the attention of the technologists responsible for the return shipment of the generators. It was explained that it is his direct responsibility to see to the day to day activities regarding this matter. The Radiation Safety Officer and Chief Technologist, of course, have the responsibility to oversee this activity.
4. Full compliance was accomplished on January 10, 1990 and proper operation has occurred since that date.

If I can supply additional information, please let me know.

Sincerely,

David S. Gooden, Ph.D., J.D.
Radiological Physicist
Radiation Safety Officer

DSG:llc

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IC-90-066

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UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV
611 RYAN PLAZA DRIVE, SUITE 1000
ARLINGTON, TEXAS 76011

FEB 12 1990

In Reply Refer To:
License: 35-07163-01
Docket: 30-02896/90-01

Saint Francis Hospital
Radiology and Pathology Departments
ATTN: David S. Gooden, Ph.D.
Radiation Safety Officer
6161 South Yale Avenue
Tulsa, Oklahoma 74136

Gentlemen:

This refers to the routine, unannounced radiation safety inspection conducted by Mr. Wesley L. Holley of this office on January 10, 1990, of the activities authorized by NRC Byproduct Material License 35-07163-01, and to the discussion of our findings held by the inspector with members of your staff at the conclusion of the inspection.

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

The inspector reviewed the organization of the nuclear medicine department and the effectiveness of the radiation safety committee (RSC) and the radiation safety officer (RSO) in managing the various aspects of your radiation safety program. The inspector observed that these individuals functioned well in their respective roles and generally directed program audits that adequately identified and corrected potential safety problems. Although the performance of your personnel appeared to be adequate, it must be emphasized that the RSO is responsible for the overall effectiveness and compliance of the radiation safety program with the Commission's rules and regulations and the conditions of your license.

During this inspection, certain of your activities were found not to be conducted in full compliance with NRC requirements. Consequently, you are required to respond to this matter in writing, in accordance with the provisions of Section 2.201 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations. Your response should be based on the specifics contained in the Notice of Violation enclosed with this letter.

The response directed by this letter and the accompanying Notice is 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.

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Saint Francis Hospital

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Should you have any questions concerning this letter, we will be pleased to discuss them with you.

Sincerely,

L. A. Mandell for
A. Bill Beach, Director
Division of Radiation Safety
and Safeguards

Enclosure:
Appendix - Notice of Violation

cc:
Oklahoma Radiation Control Program Director

APPENDIX
NOTICE OF VIOLATION

Saint Francis Hospital
Tulsa, Oklahoma

Docket: 30-02896/90-01
License: 35-07163-01

During an NRC inspection conducted on January 10, 1990, a violation of NRC requirements was 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 violation is listed below:

10 CFR 71.5(a) requires that licensees who transport licensed material outside the confines of their plants or deliver licensed material to a carrier for transport comply with the applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation (DOT) in 49 CFR Part 170-189.

49 CFR 173.475(i) requires that, prior to each shipment of any package, the shipper ensure by examination or appropriate test that the external radiation and contamination levels are within allowable limits.

Contrary to the above, the licensee had not surveyed the decayed Mo/Tc-99m generators or their shipping packages to ensure that the external radiation levels were within the allowable limits for the package label upon returning them to the vendor. These surveys had not been performed for this inspection period, August 4, 1987, through January 10, 1990.

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

Pursuant to the provisions of 10 CFR 2.201, Saint Francis 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 12th day of February 1990

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