

NOTICE OF VIOLATION

Department of Veterans Affairs
Northern California System of Clinics
Benicia, California

Docket No. 030-01223
License No. 04-02956-02

During an NRC inspection conducted on April 19-20, 1994, 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, the violation is listed below:

- A. 10 CFR 35.25(a)(2) requires, in part, that a licensee that permits the use of byproduct material by an individual under the supervision of an authorized user shall require the supervised individual to follow the written radiation safety procedures established by the licensee.

The licensee's package receipt form for Nuclear Medicine contains an action limit for package wipes for removable contamination on the external surfaces of packages: "Package Wipes (external) : 100 cpm + background." The form also provides the written procedure that individuals are to follow when an action limit is exceeded: "When action level is exceeded - notify RSO and record notification."

Contrary to the above, on April 8, 1994, a nuclear medicine technologist, an individual under the supervision of the licensee's authorized user, did not follow the written procedure documented on the package receipt form. Specifically, the technologist did not notify the radiation safety officer (RSO) after measuring 36,116 disintegrations per minute (dpm) of removable contamination on an external wipe of a package received in Nuclear Medicine. This level of removable contamination exceeded the background measure of 117 counts per minute (cpm) by more than 100 cpm, and thus exceeded the licensee's documented action limit.

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

Pursuant to the provisions of 10 CFR 2.201, V.A. Northern California System of Clinics is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, Region IV, and a copy to the Walnut Creek Field Office Director, 1450 Maria Lane, Walnut Creek, California, 94596, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, the Commission may issue an order or demand for information as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

Dated at Arlington, Texas
this 21st day of May 1994

bcc w/Enclosure and IFS Form:
 Docket File
 Inspection File
 Y. Elko, RIV Arlington (original IFS)

bcc w/Enclosure:
 J. Callan, RIV Arlington
 S. Collins, RIV Arlington
 G. Sanborn, RIV Arlington
 K. Perkins, WCFO
 R. Huey, WCFO
 G. Cook, WCFO
 State of California

Department of Veterans Affairs
 ATTN: Francis K. Herbig, Director
 Health Physics Programs (115HP)
 915 North Grand Blvd.
 St. Louis, MO 63106

Department of Veterans Affairs
 Veterans Health Services & Research Administration
 Western Region
 ATTN: Edwin M. Liedholdt, Jr., Ph.D
 Radiation Safety Program Manager
 301 Howard Street, Suite 700
 San Francisco, CA 94105-2241

bcc w/o Enclosure:
 M. Smith, WCFO

Jacobson *Flernslawski* *SCollins*
 Jacobson Flernslawski SCollins
 5/14/94 5/14/94 5/16/94

REQUEST COPY]	REQUEST COPY]	REQUEST COPY]	SEND TO DCS]	SEND TO PDR]
YES / NO]	YES / NO]	YES / NO]	YES / NO]	YES / NO]

IFS Data Entry Form

Reviewed By Wenslawski
Date 5.3.94

SPECIFY ALL THAT APPLY Page 1 of 1

React to Vendor Inspection (IFB Option 1) ☐ Docket Related P21 Items (IFB Option 4) ☐
 Items Opened (Y/N) ☐ Enter Log Number
☒ Material Inspection (IFB Option 2) ☐ LER Items (IFB Option 5) ☐
 SOI (Y/N) N Enter LER Number
 Letter (Y/N) X Non-Docket Related Items (IFB Option 6) ☐
 Clear (Y/N) N

Site Name V.A. Benicia NCSC

Report Transmittal Date 1/1/

Lead Inspector JBJ

Responsible Org Code 4326

Report End Date 1/1/

Region IV, WFO

Report NBR 94-01 Docket NBR 030-01223
 A 94-01
 B 030-01223
 C 030-01223

Materials Only
 License NBR 01-02956-01

Update? (Y/N) N Opened IRLER/P21 LOG/IFS Number:

***Sequence NBR: 01 Item Type: VIO **Severity: 4 **Supplement: 6

Status	*UPD VR	*Proj. Closeout	*Actual Closeout	10 CFR	Materials Only	Tie Down
A <u>0</u>				<u>36.25(a)(2)</u>	License Cond.	
B						
C						

Title: Failure to notify RSO

Closeout Org: *Closeout EMP: *Contact EMP: *Procedure: *Func't Area:
 *Cause CD: **EA Number: **NOV/NNC Issue Date: 1/1/

Text: A nuclear medicine technologist (supervised individual) failed to notify the RSO at a package receipt contamination survey result which exceeded the licensee's action level for removable contamination.

Update? (Y/N) Opened IRLER/P21 LOG/IFS Number:

***Sequence NBR: Item Type: VIO **Severity: **Supplement: 4

Status	*UPD VR	*Proj. Closeout	*Actual Closeout	10 CFR	Materials Only	Tie Down
A				<u>20.2103(a)</u>	License Cond.	
B						
C						

Title: Failure to document survey

Closeout Org: *Closeout EMP: *Contact EMP: *Procedure: *Func't Area:
 *Cause CD: **EA Number: **NOV/NNC Issue Date: 1/1/

Text: The RSO failed to document his evaluation that no licensee workers were likely to exceed 10% of the limits in 10 CFR 20.1201 for internal exposures which would require monitoring under 20.1502

* Optional Fields.
 ** Severity, Supplement, and NOV/NNC only applicable for Violations. EA Number only applicable for Escalated Enforcement Items.
 *** Sequence NBR is not applicable for docket related P21, LER, or non-docket related Items.

ITEMS CONTINUED? (Y/N): N