

Appendix A

NOTICE OF VIOLATION

Marquette University

License No. 48-02931-06

As a result of the special inspection conducted on September 25, 28, and October 7, 1981, and in accordance with the Interim Enforcement Policy, 45 FR 66754 (October 7, 1980) the following violations were identified:

1. 10 CFR 20.101(a), "Radiation Dose Standards for Individuals in Restricted Areas," limits the dose to hands and forearms, feet and ankles of an individual working in a restricted area to 18.75 rems per calendar quarter.

Contrary to this requirement, during the second quarter of 1981, an individual received an exposure of 29.6 rems to the hands.

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

2. 10 CFR 20.409, "Notifications and Reports to Individuals," requires written notification within 30 days to individuals who received exposures which were the subject of reports submitted to the Commission under 10 CFR 20.405.

Contrary to the above, as of September 28, 1981, the licensee had not furnished an individual with written notice of an overexposure which was reported to the Commission in a letter dated July 29, 1981.

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

3. 10 CFR 20.201(b), "Surveys," requires such surveys be made as may be necessary to comply with all sections of Part 20. As defined in 10 CFR 20.201(a), "survey" means an evaluation of the radiation hazards incident to the production, use, release, disposal, or presence of radioactive materials or other sources of radiation under a specific set of conditions. When appropriate, such evaluation includes a physical survey of the location of materials and equipment and measurements of levels of radiation or concentrations of radioactive material present.

Contrary to this requirement, during the second quarter of 1981, the licensee did not evaluate personal whole body exposures received by four individuals whose film badges were damaged, contaminated, or destroyed to verify compliance with 10 CFR 20.101(a).

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

4. License Condition No. 19 requires that licensed material be possessed and used in accordance with statements, representations, and procedures contained in an application with letter dated May 4, 1979. The letter dated May 4, 1979, states that in vivo procedures must be approved by the Radioisotope Safety Committee.

Contrary to the above requirement, the Radioisotope Safety Committee was not informed of a change in a user's research program from a previously approved in vitro procedure to an in vivo procedure; therefore, the Radioisotope Committee did not approve the in vivo procedure. An individual performing the in vivo procedure subsequently received an extremity overexposure of 29.6 rems to his hands.

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

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 item of noncompliance: (1) corrective action taken and the results achieved; (2) corrective action to be taken to avoid further noncompliance; and (3) the date when full compliance will be achieved. Under the authority of Section 182 of the Atomic Energy Act of 1954, as amended, this response shall be submitted under oath or affirmation. Consideration may be given to extending your response time for good cause shown.

DEC 7 1981

Dated _____

Original signed by
James G. Keppler

James G. Keppler
Regional Administrator