Appendix

NOTICE OF VIOLATION

Veterans Administration Hospital License No. 34-00203-03

As a result of the inspection conducted on January 7, 1982, and in accordance with the Interim Enforcement Policy, 45 FR 66754 (October 7, 1980), the following violations were identified:

1. 10 CFR 20.207 states that (a) licensed materials stored in an unrestricted area shall be secured from unauthorized removal from the place of storage, and (2) licensed materials in an unrestricted area and not in storage shall be tended under the constant surveillance and immediate control of the licensee.

   Contrary to the above, (a) licensed material (radioactive waste in 55-gallon drums) was not secured from unauthorized removal from its storage area (Room K-16) in that, on the day of this inspection, the referenced room was unattended and the door was propped open into a public hallway, and (b) radioactive shipments (i.e. radiopharmaceuticals) have been left in a public hallway outside your Mail Room, and were neither under your constant surveillance nor immediate control.

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

2. License Condition 21 authorizes the disposition by incineration of Carbon-14 and Trituim only.

   Contrary to the above, byproduct materials other than Carbon-14 or Trituim have been disposed of by incineration. Specifically, between 1975 and 1980, Sulfur-131 (1.87 millicuries), Iodine-125 (319.5 microcuries) and Iodine-131 (364.8 microcuries) were disposed of by incineration at your facility.

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

3. License Condition 22 states that the licensee shall possess and use licensed material in accordance with statements, representations and procedures listed in application dated September 4, 1979 and letters dated November 29, 1979 and July 14, 1980.

   The above application states the frequencies of surveys (GM and wipes) to be performed in your nuclear medicine department, and requires that records of all surveys be maintained for review.

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Contrary to the above, it was determined from statements of licensee representatives, surveys were not performed as required during a ten month period in 1980 (in the absence of a radiation safety officer). In addition, no records of daily GM surveys were maintained prior to February 1981, nor weekly wipe records prior to August 1981.

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

4. 10 CFR 30.51(a) requires that each person who receives byproduct material keep records showing the receipt, transfer, and disposal of such byproduct material.

Contrary to the above, no records were available for nuclear medicine wastes disposal of as normal trash prior to March 4, 1981.

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

With respect to items 2, 3 and 4, the inspection showed that action had been taken to correct the identified item of noncompliance and to prevent recurrence. Consequently, no reply to these items of noncompliance is required and we have no further questions regarding this matter. With respect to item 1, 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.

Date 1/19/82

D. J. Sreniawski, Chief
Materials Radiation Protection
Section 2