

University of Cincinnati
Medical Center



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May 11, 1993

U.S. Nuclear Regulatory Commission
Region III
799 Roosevelt Road
Glen Ellyn Illinois 60137

34-06903-05

Subject: University of Cincinnati
"REPLY TO A NOTICE OF VIOLATION"
Dated April 13, 1993

Gentleman:

As required by the NRC, the University of Cincinnati has prepared this "Reply to a Notice of Violation" dated April 13, 1993. The notice indicated one - Severity Level V violation (Supplement VI).

THE VIOLATION AS LISTED IN THE NOTICE

"License Condition 27 requires that the licensee conduct its program in accordance with the statements, representations, and procedures contained in an application received September 20, 1990 and various dated letters including a letter dated April 30, 1992. Item 8B of the application received September 20, 1990 and letter dated April 30, 1992 describe the training requirements for radiation workers. The former document requires that training specific to each approved application for use of radioactive material be provided by the applicable authorized users. The latter requires that authorized users maintain (written) records of the training for radiation workers added to their authorization after July 1, 1992, or any training given to personnel listed as working under their authorization after July 1, 1992."

"Contrary to the above, as of March 10, 1993, records of training provided to a radiation worker added to an authorization after July 1, 1992, were not maintained by the authorized user. Specifically, training provided to a radiation worker added to Dr. Tepperman's authorization in late September 1992, was not documented (in writing). Similarly, training provided to the same radiation worker in October 1992 while working under Dr. Washburn's authorization was also not documented (in writing)."

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REPLY TO THE NOTICE OF VIOLATION

- 1) The reason for the violation or if contested the basis for disputing the violation.

The University agrees the two AU's did not have training documentation for the radiation worker specified during the inspection.

It should be noted that both AU's indicated the Radiation Worker specifically noted during the inspection was in the initial stages of training when the radiation workers employment ended. The Radiation Worker involvement with radioactive material included: observation of experiment, use of small amounts of radioactive material under the direct supervision of another radiation worker, and assisting in decontamination of low-level contamination.

In relationship to Dr. Tepperman, the University Radiation Safety Office noted the oversight, in regards documentation of AU training, during the December audit of Dr. Tepperman's authorization. Dr. Tepperman was notified in a memorandum dated December 8, 1993 of the oversight. Specifically, the memorandum stated "AU has not implemented program to document specific laboratory training provided to his/her Radiation Workers. Documented training requirement was effective July 1, 1992".

- 2) The corrective steps that have been taken and the results achieved.

Both AU's have been reminded in writing of their obligation to provide and document training to Radiation Workers using radioactive material under their authorization.

The NRC in the notice of violation wanted assurance "that any actions you (the University) take to correct this violation will be broadly applied to all radiation workers". Therefore, the University on April 26, 1993 sent the attached memorandum to all Authorized Users reminding each of his/her obligation to provide training to his/her radiation workers and that the training must be documented in writing. To ensure that all AU users received the memorandum, AU users were required to return a receipt indicating they received the memorandum. As of May 10, 1993, 75 % of the AU's have returned the receipt. (note: Both AUs specifically named in this notice have returned receipts.)

- 3) The corrective steps that will be taken to avoid further violation.

The University uses a point system to document and assess non-compliance to the University's Radiation Safety and Control

Program. The Radiation Safety Committee has been polled and all agreed that the type of non-compliance identified in the notice of violation (i.e. documentation of Radiation Worker's training provided by AU) should be added to the internal University point system. Details will be determined (exact number of points assessed per non-compliance) by the Radiation Safety Committee during its June meeting. Effective date for implementation will be July 1, 1993 (beginning of next semiannual point period).

- 4) The date when full compliance will be achieved.

July 1, 1993

Sincerely,



Donald C. Harrison, M.D.
Senior Vice President and
Provost for Health Education

cc: Joseph A. Steger, Ph.D.
University of Cincinnati
Radiation Safety Committee