

Appendix A

NOTICE OF VIOLATION

Mary Rutan Hospital

License No. 34-17339-01

As a result of the inspection conducted on August 19, 1981, and in accordance with the Interim Enforcement Policy, 45 FR 66754 (October 7, 1980), the following violations were identified:

1. License Condition 15 states that a visiting physician is authorized to use licensed material for human use provided the visiting physician:
  - a. Has the prior written permission of the hospital's Administrator and its Medical Isotopes Committee, and
  - b. Is specifically named as a user on a Nuclear Regulatory Commission license authorizing human use, and
  - c. Performs only those procedures for which he is specifically authorized by a Nuclear Regulatory Commission license.

A copy of the written permission specified in sub-item (a) and of the license specified in sub-items (b) and (c) shall be maintained for five years.

Contrary to these requirements:

- a. A copy of the written permission for the visiting physician to use licensed material was not kept.
- b. The visiting physician using licensed material from August 17, 1981, to August 19, 1981, was not specifically named as a user on a Nuclear Regulatory Commission license authorizing human use.
- c. The visiting physician using licensed material from August 17, 1981 to August 19, 1981, was not authorized by a Nuclear Regulatory Commission license to perform the procedures specified in your license.

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

2. License Condition 14 requires that licensed material be possessed and used in accordance with statements, representations, and procedures contained in application dated August 11, 1976; and letters dated November 8, 1976, December 28, 1976, and February 6, 1980.

The license application dated August 11, 1976, states that hands and clothing of personnel will be monitored frequently during the course of the work day.

Contrary to this requirement, it was learned from statements of licensee representatives that the hands and clothing of personnel were not monitored during the course of the work day.

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

3. License Condition 14 requires that licensed material be possessed and used in accordance with statements, representations, and procedures contained in application dated August 11, 1976; and letters dated November 8, 1976, December 28, 1976, and February 6, 1980.

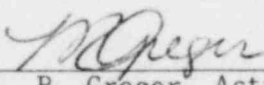
The letter dated November 8, 1976, states that smoking is prohibited in the restricted areas.

Contrary to this requirement, on the day of inspection August 19, 1981, an individual was smoking in a restricted area.

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.

Dated SEP 24 1981

  
\_\_\_\_\_  
L. R. Greger, Acting Chief  
Technical Inspection Branch