Appendix

NOTICE OF VIOLATION

John W. Murrey, D.O. License No. 34-20249-01

As a result of the inspection conducted on July 30, 1982, and in accordance with the NRC Enforcement Policy, 47 FR 9987 (March 9, 1982), the following violations were identified:

1. License Condition No. 10 states, licensed material shall be received, stored, and used for diagnostic imaging procedures at 603 West Union, Athens, Ohio 34701. Licensed material except Group III generators may be used at O'Bleness Memorial Hospital, Hospital Drive, Athens, Ohio 45701.

   Contrary to the above, licensed material was received and stored at O'Bleness Memorial Hospital (a location not authorized for receipt and storage) from February 1982, to August 2, 1982.

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

2. 10 CFR 35.14 requires that sealed calibration or reference sources possessed pursuant to 10 CFR 35.14 be tested for leakage and/or contamination at intervals not to exceed six months.

   Contrary to this requirement, a 198 microcurie cesium-137 calibration source was not tested for leakage from April 1, 1981, to April 1, 1982.

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

3. 10 CFR 35.14(e)(2) requires that records of leak test results be kept in units of microcuries.

   Contrary to this requirement, leak tests performed on April 1, 1982, were not in units of microcuries.

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

4. License Condition No. 16 requires that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in certain referenced applications and letters.

   The referenced application dated December 8, 1981, states that the dose calibrator will be calibrated in accordance with Regulatory Guide 10.8, Appendix D, Section 2. Appendix D, Section 2 requires the dose calibrator to be tested for the following:

1. Instrument accuracy (at installation and annually thereafter)
2. Instrument linearity (at installation and quarterly thereafter)
3. Geometrical variation (at installation).

Contrary to the above, the dose calibrator has not been tested for accuracy, linearity and geometrical variation since it was installed in February 1982.

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

5. 10 CFR 30.51(c)(3) states, records of transfers of byproduct material shall be maintained by the licensee who transferred the material for five years after such transfer.

Contrary to the above, since the inception of the program in February 1982, records have not been maintained of byproduct material transferred to Pharmatopes, Inc., in the form of unused doses and waste material.

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

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. Consideration may be given to extending your response time for good cause shown.

Dated 8/9/83

D. J. Sreniawski

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