NOTICE OF VIOLATION

MPI Pharmacy Services, Inc.
Milwaukee, Wisconsin

License No. 48-25915-01MD
Docket No. 030-30566

As a result of the inspection conducted on September 20-21, 1990, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, (1990) (Enforcement Policy) the following violations were identified:

1. License Condition 23 requires that all licensed material be possessed and used in accordance with statements, representations and procedures contained in application dated April 28, 1988, and letter dated June 15, 1988. The referenced letter dated June 15, 1988 states in Item 19 that the Safety Audit Team will audit the pharmacy quarterly for at least the first year of operation.

   Contrary to the above, the Safety Audit Team failed to audit the pharmacy quarterly for at least the first year of operation. For example, the pharmacy started operating in August 1988, and the Safety Audit Team performed the required audits on December 16, 1988, March 20, 1989, June 22, 1989 and November 8, 1989.

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

2. License Condition 23 requires that all licensed material be possessed and used in accordance with statements, representations and procedures contained in application dated April 29, 1988. The referenced application states on page 3 and 4 of Appendix 1, submitted with the April 29, 1988 application, that the Radiation Safety Officer (RSO) will investigate the cause of any exposures that are over the investigational levels or action levels. The investigational level for extremity exposures is 1,875 millirem per calendar quarter, and the action level is 5,625 millirem per calendar quarter.

   Contrary to the above, the RSO failed to investigate the cause of exposures exceeding the investigational level and the action levels. For example, extremity exposures exceeded the investigational limits (from 1970 to 4,800 millirem) for each calendar quarter of 1989 and through the third quarter of 1990, and exceeded the action level for the first quarter of 1989 (6,030 millirem), the fourth quarter of 1989 (6,070 millirem) and the first quarter of 1990 (6,070 millirem), and the RSO failed to investigate the cause of these exposures.

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

3. License Condition 23 requires that all licensed material be possessed and used in accordance with statements, representations and procedures contained in application dated April 29, 1988. Item 10 of the referenced application states that the dose calibrator will be checked for linearity each calendar quarter.

   Contrary to the above, the licensee failed to perform a linearity check of dose calibrator Serial No. 51549 during the fourth quarter of 1989 from September 5, 1989 to March 30, 1990.

   This is a Severity Level IV 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 violation: (1) the corrective steps that have been taken and the results achieved; (2) the corrective steps that will be taken to avoid further violations; and (3) the date when full compliance will be achieved. Consideration may be given to extending your response time for good cause shown.

10-1-90
Dated

William H. Schultz
William H. Schultz, Chief
Nuclear Materials Safety
Section 1