

Appendix

NOTICE OF VIOLATION

Marshall S. Grillo, D.O.

License No. 21-18927-01

As a result of the inspection conducted on December 8, 1982, and in accordance with the NRC Enforcement Policy, 47 FR 9987 (March 9, 1982), the following violations were identified:

1. License Condition No. 14 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 received April 4, 1980, states in Item 10.a. that the survey meters will be calibrated at least annually.

Contrary to the above, a Victoreen 498 survey meter has not been calibrated since the requirement began May 2, 1980.

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

2. License Condition No. 14 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 received April 4, 1980, states in Item 10.b. that the procedures in NUREG-0338 (1977), Appendix D, Section 2 will be followed for calibration of the dose calibrator. Appendix D, Section 2 requires tests for:

- a. Instrument accuracy at installation and annually, with 200 microcuries of cesium-137, 1 millicurie of cobalt-57, and 250 microcuries of barium-133.
- b. Geometrical variation at installation and after repair,
- c. Instrument linearity at installation and quarterly.

Contrary to the above, the dose calibrator has not been calibrated as required. Specifically, (a) the dose calibrator has not been tested for accuracy with the above listed sources since the requirement began May 2, 1980, (b) the dose calibrator has not been tested for geometrical variation since installation in approximately June 1980, (c) the dose calibrator has not been tested for linearity since the requirement began May 2, 1980.

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

3. License Condition No. 14 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 received April 4, 1980, states that surveys will be performed in accordance with NUREG-0338 (1977), Appendix I. Appendix I states that all elution, preparation, and injection areas will be surveyed daily with a G-M survey meter.

Contrary to the above, the hot lab has been surveyed daily by wipe test but has not been surveyed with a G-M survey meter daily since the requirement began May 2, 1980.

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

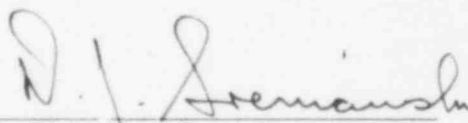
4. 10 CFR 20.401(b) states each licensee shall maintain records in the same units used in this part, showing the results of surveys required by §20.201(b). As stated in 10 CFR 20.302(a) any licensee or applicant for a license may apply to the Commission for approval of proposed procedures to dispose of licensed material in a manner not otherwise authorized in the regulations in this chapter. Approval for the disposal of licensed material by the decay-in-storage method is given by the Commission in License Condition No. 15 which states that prior to disposal as normal waste, radioactive waste shall be monitored to determine that its radioactivity cannot be distinguished from background.

Contrary to 20.401(b), records were not maintained of waste surveys stated to have been made prior to disposal. Records have not been maintained since the program began in approximately June 1980.

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

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.

12/23/82
Dated _____


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