APPENDIX A

NOTICE OF VIOLATION

Delaware Valley Medical Center
Langhorne, Pennsylvania 19047

Docket No. 030-13110
License No. 37-17643-01

During an NRC inspection conducted on March 9, 1994, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the violations are listed below:

A. 10 CFR 35.21(a) requires that the licensee, through the Radiation Safety Officer, ensure that radiation safety activities are being performed in accordance with approved procedures. The licensee's procedures for the safe use of radioactive material are described in Item 10.4 of the application dated May 26, 1991, as those contained in Appendix I of Regulatory Guide 10.8 (revision 2).

Item 8 of Appendix I states that a finger exposure monitor will be worn during the preparation, assay, and injection of radiopharmaceuticals.

Contrary to the above, on March 9, 1994, a finger exposure monitor was not worn during the preparation, assay, and injection of radiopharmaceuticals. Specifically, a nuclear medicine technologist did not wear a finger exposure monitor during the preparation and assay of technetium-99m HDP.

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

B. 10 CFR 19.12 requires, in part, that all individuals working in or frequenting a restricted area be instructed in the precautions and procedures to minimize exposure to radioactive materials, in the purpose and functions of protective devices employed, and in the applicable provisions of the Commission's regulations and licenses.

Contrary to the above, from January 1, 1992 to March 9, 1994, security personnel who frequented the nuclear medicine hot laboratory, a restricted area, were not instructed in the precautions and procedures to minimize exposure to radioactive materials, in the purpose and functions of protective devices employed, and in the applicable provisions of the Commission's regulations and licenses.

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

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C. 10 CFR 20. 1501(a) requires that each licensee make such surveys as may be necessary to comply with the regulations in Part 20. As defined in 10 CFR 20.1003, "survey" means an evaluation of the radiological conditions and potential hazards incident to the production, use, transfer, release, disposal, or presence of radioactive material of other sources of radiation.

Contrary to the above, as of March 9, 1994, surveys were not made to assure compliance with that part of 10 CFR 20.1201 that limits the occupational radiation exposure to workers. Specifically, surveys were not made to assure that the occupational radiation exposures to contractor nuclear medicine technologists employed by the licensee from June 1, 1993 to March 9, 1994, were below the limits specified in 10 CFR 20.1201.

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

D. 10 CFR 35.92(b) requires, in part, that records of disposal by decay-in-storage include the radionuclides disposed, the survey instrument used, and the background dose rate.

Contrary to the above, as of March 9, 1994, records of disposal by decay-in-storage did not include the radionuclides disposed, the survey instrument used, and the background dose rate.

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

Pursuant to the provisions of 10 CFR 2.201, Delaware Valley Medical Center is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, Region I, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued to show cause why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.