

Appendix

NOTICE OF VIOLATION

Metropolitan Medical Center

License No. 22-13859-01

As a result of the inspection conducted on August 12 and 13, 1982, and in accordance with the NRC Enforcement Policy, 47 FR 9987 (March 9, 1982), the following violations were identified:

1. 10 CFR 20.201(b) requires that you make such surveys as may be necessary for you to comply with all sections of Part 20. As defined in 10 CFR 20.201(a), "survey" means an evaluation of the radiation hazards incident to the production, use, release, disposal, or presence of radioactive materials or other sources of radiation under a specific set of conditions.

Contrary to this requirement, on the day of the inspection, you failed to make such surveys as were necessary to assure compliance with 10 CFR 20.105(b), "Permissible levels of radiation in unrestricted areas." Specifically, you failed to make adequate surveys of the radiation levels in the occupied room adjacent to the room of a patient containing radioactive implants.

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

2. License Condition No. 15 requires that you test your sealed sources containing byproduct material for leakage and/or contamination at intervals not to exceed six months.

Contrary to this requirement, as of the day of the inspection, you had not tested your sealed source containing cesium-137 for contamination or leakage since receipt in April 1971.

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

3. License Condition No. 23 requires that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in application dated October 31, 1980, and referenced letters.

Item No. 10 of the September 25, 1981 letter states, the procedures described in Appendix D of the draft "Guide for Preparation of Applications for Medical Programs" will be followed. Appendix D requires daily constancy, quarterly linearity, and annual accuracy tests of the dose calibrator using specified sealed sources.

Contrary to the above requirement, it was determined through statements by licensee representatives that this requirement has not been met. Specifically, the accuracy test was performed using only one reference

standard rather than three as required by Appendix D. In addition, only two linearity tests have been performed over the past two years, not fulfilling the quarterly requirement.

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

4. License Condition No. 23 requires that licensed material be possessed and used in accordance with statements, representations, and procedures contained in application dated October 31, 1980 and referenced letters.

Item No. 17 of the application indicates that the procedures in Appendix I of the draft "Guide for Preparation of Applications for Medical Programs" will be followed. Appendix I requires daily surveys of all elution, preparation, and injection areas with a low-range survey meter.

Contrary to the above, it was determined through statements by licensee representatives that this requirement is not being met. Specifically, daily surveys of your preparation and injection areas are not being performed.

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

5. 10 CFR 20.203(f)(4) requires that, prior to disposal of an empty, uncontaminated container to an unrestricted area, the radioactive label be removed, defaced, or the container marked as empty.

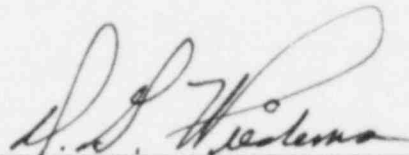
Contrary to the above, on the day of the inspection, the inspector discovered a box with radioactive materials labels intact in the storage room trash.

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.

9-3-82

Dated



D. G. Wiedeman, Chief  
Materials Radiation Protection  
Section 1