NOTICE OF VIOLATION

V. A. Medical Center
Minneapolis, Minnesota

License No. 22-01859-01
Docket No. 030-02205

During an NRC inspection conducted on March 9, 1994 and March 10, 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 (1994), the violations are listed below:

1. Condition No. 28 of License No. 22-01859-01 requires that licensed material be possessed and used in accordance with statements, representations and procedures contained in an application dated December 27, 1990, and letters dated April 25, 1991, May 28, 1991, June 24, 1991, September 6, 1991, October 9, 1991 and July 26, 1993.

   A. Item 8.1 of the application dated December 27, 1990, requires annual training for Authorized Users, Security, Building Management, and Engineering Service.

      Contrary to the above, the security staff has not been trained since September 11, 1992.

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

   B. Item 10.6 of the application dated December 27, 1990, requires the licensee to establish and implement the model guidance for ordering and receiving radioactive material that was published in Appendix K to Regulatory Guide 10.8, Revision 2. Appendix K states, for deliveries during off-duty hours, the RSO will tell security personnel or other designated persons to accept delivery of radioactive packages in accordance with procedures outlined in the sample memorandum.

      Contrary to the above, as of March 9, 1994, the RSO had not instructed the security personnel in accordance with the memorandum, as no memorandum was distributed by the RSO.

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

   C. Item 9.2 of the application dated December 27, 1990, requires the licensee to establish and implement the model procedure for calibrating survey instruments as published in Appendix B of Regulatory Guide 10.8, Revision 2. Appendix B requires that the survey instruments be calibrated at least annually and after servicing. Electronic calibrations alone are not acceptable.

Contrary to the above, as of March 9, 1994, survey instruments in Dr. Mantyh's lab had not been calibrated since 1990 and instruments in Dr. Rubin's lab, used by Dr. Wikart's lab, had not been calibrated since 1992.

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

D. Item 10.14 of the application dated December 27, 1990 requires the licensee establish and implement Appendix P of Regulatory Guide 10.8, Revision 2. Appendix P requires the licensee to supply the nurses with film badges, TLDs or pocket ionization chambers when conducting radiopharmaceutical therapy.

Contrary to the above, as of March 9, 1994 the licensee did not supply the nursing staff with personnel dosimetry when conducting radiopharmaceutical therapy.

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

2. License Condition 8.C. limits the licensee to a total possession of 125 millicuries of hydrogen-3.

Contrary to the above, in the fourth quarter of 1993, and as of March 9, 1994, the licensee possessed 146.6 millicuries of hydrogen-3 a quantity in excess of 125 millicuries.

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

3. License Condition 16, requires the licensee to conduct a physical inventory ever six months for all sources and that the records of sealed source inventory be maintained for 5 years from the date of each inventory, and shall include the information required in 10 CFR 35.59(g).

10 CFR 35.59(g) requires, in part, that a licensee retain records of quarterly physical inventories of sealed sources and brachytherapy sources in its possession, and that the records contain the model number of each source, and serial number if one has been assigned, the identity of each source radionuclide and its nominal activity, the location of each source, and the signature of the Radiation Safety Officer.

Contrary to the above, as of March 9, 1994, the licensee's records of physical inventories of its sealed sources in storage did not contain the date of the inventory and the signature of the Radiation Safety Officer.

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

Pursuant to the provisions of 10 CFR 2.201, V. A. Medical Center - Minneapolis is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, Region III, 801 Warrenville Road, Lisle, Illinois, 60532-4351, 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 as to 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.

MAR - 8 1994

Dated

John D. Jones, Acting Chief
Nuclear Materials Inspection
Section 2