

APPENDIX

NOTICE OF VIOLATION

Department of Veterans Affairs  
Little Rock, Arkansas 72205

Docket: 030-01212  
License: 03-01082-01

During an NRC inspection conducted on March 24-25, 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 35.50(b)(1) requires, in part, that a licensee check each dose calibrator for constancy with a dedicated check source at the beginning of each day of use and that the check be done on a frequently used setting.

Contrary to the above, from April 2, 1993, to February 14, 1994, the licensee did not always check the dose calibrator for constancy with a dedicated check source at the beginning of each day of use that the dose calibrator was used to measure patient doses of radiopharmaceuticals.

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

- B. 10 CFR 35.50(b)(3) requires, in part, that a licensee test each dose calibrator for linearity over the range of its use between the highest dosage that will be administered to a patient and 10 microcuries.

Contrary to the above, the licensee's dose calibrator linearity tests performed on April 29, July 23, October 28, 1993, and January 27, 1994, did not cover the range between the highest dosage that the licensee administers to a patient and 10 microcuries. Specifically, the licensee only tested its dose calibrator down to an average of 17 microcuries.

This is Severity Level IV violation (Supplement VI).

- C. 10 CFR 35.70(a) requires that a licensee survey with a radiation detection survey instrument at the end of each day of use all areas where radiopharmaceuticals are routinely prepared for use or administered.

Contrary to the above, on numerous occasions from March 2, 1993, to February 19, 1994, the licensee did not survey with a radiation detection instrument at the end of the day areas where radiopharmaceuticals were routinely prepared for use or administered. For example, no such survey was performed on the above two dates.

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

- D. 10 CFR 35.70(g) requires that a licensee establish removable contamination trigger levels for weekly surveys of areas where radiopharmaceuticals are routinely prepared for use, administered, or stored and that the individual performing the survey immediately notify the Radiation Safety Officer if contamination exceeds a trigger level.

Contrary to the above, on March 18, 1994, while performing a survey for removable contamination in the areas where radiopharmaceuticals are routinely prepared for use, administered, or stored, the licensee's health physics technologist obtained a survey result of 2497 dpm, which exceeded the licensee's established trigger level of 2000 dpm, and the Radiation Safety Officer was not notified. Also, no action was taken to bring the contamination level below the trigger level.

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

Pursuant to the provisions of 10 CFR 2.201, Department of Veterans Affairs, John L. McClellan Memorial Veterans' Hospital, 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 IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011, 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.

Dated at Arlington, Texas  
this 1st day of April 1994