

ENCLOSURE

NOTICE OF VIOLATION

Tri-States Area Nuclear Pharmacy
Huntington, West Virginia

Docket No. 030-33027
License No. 47-25233-01MD

During an NRC inspection conducted March 15, 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. Condition 11.B of License No. 47-25233-01MD requires that at least one authorized user be physically present at the authorized place of use whenever licensed material is being used.

Contrary to the above, between January 1, 1994 and March 15, 1994, on alternate weekends, a licensed pharmacist, who was not an authorized user, used licensed material at the authorized place of use without an authorized user being physically present.

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

- B. Condition 25 of License No. 47-25233-01MD requires, in part, that the licensee conduct its program in accordance with the procedures contained in the application dated November 30, 1992.

1. Item 10.7.1 of the application, Radiation Safety Program, requires, in part, that licensee personnel always wear lab coats when in the hot lab area.

Contrary to the above, on March 15, 1994, licensee personnel were working in the hot lab area and were not wearing lab coats.

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

2. Item 10.7.2 of the application, Radiation Safety Program, requires that licensee personnel monitor their hands and clothing for contamination after each procedure before leaving area.

Contrary to the above, as of March 15, 1994, licensee personnel routinely left their hot laboratory area without first monitoring their clothing for contamination.

This is a Severity IV violation (Supplement VI).

3. Item 10.3a.2 of the application, Radiation Safety Program, requires, in part, that survey instruments be calibrated at intervals not to exceed one year.

Contrary to the above, as of March 15, 1994, the licensee was using a Ludlum model 2200 survey instrument and two Ludlum model 3 survey instruments, and these survey instruments were last calibrated on January 20, 1993 and January 27, 1993, respectively, periods in excess of one year.

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

4. Item 10.7.4 of the application, Radiation Safety Program, requires that licensee personnel not eat, drink, smoke or apply cosmetics in any area where radioactive material is stored or handled.

Contrary to the above, as of March 15, 1994, an employee of the licensee drank coffee in the licensee's restricted area on numerous occasions.

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

Pursuant to the provisions of 10 CFR 2.201, Tri-States Area Nuclear Pharmacy is hereby required to submit a written statement or explanation to the Regional Administrator, Region II, with a copy to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, 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 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.

Dated at Atlanta, Georgia
This 28th day of March, 1994