

APPENDIX A

NOTICE OF VIOLATION

Department of Health & Human Services
Washington, DC 20204

Docket No. 030-03917
License No. 08-00482-03

During an NRC inspection conducted on March 1 through 4, 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 No. 20 of License No. 08-00482-03 requires that licensed material be possessed and used in accordance with statements, representations and procedures contained in the letter dated October 26, 1987.

Item 11. f. of this letter requires, in part, that areas in which monthly wipe test results are greater than 1000 dpm be cleaned and rechecked following cleanup.

Contrary to the above, from July 1991 to March 4, 1994, areas in which monthly wipe test results are greater than 1000 dpm were not cleaned and rechecked following clean-up. Specifically, although the licensee performed monthly wipes, they did not routinely follow-up on all required areas to clean and/or rewipe.

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

- B. License Condition No. 12 requires, in part, that sealed sources and detector cells be tested for leakage and/or contamination at intervals not to exceed 6 months.

Contrary to the above, as of March 4, 1994, sealed sources and detector cells were not tested for leakage and/or contamination at intervals not to exceed 6 months. Specifically, several sealed sources were not leak tested during the period from July 19, 1991 to March 4, 1994, an interval greater than 6 months.

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

- C. License Condition No. 17 requires, in part, that the licensee conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license.

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Contrary to the above, as of March 4, 1994, the licensee did not conduct a physical inventory every 6 months to account for all sources and/or devices received and possessed under the license. Specifically, several sealed sources were not physically inventoried from July 19, 1991 to March 4, 1994, an interval greater than six months.

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

- D. 10 CFR 20.1101 (a) requires, in part, that the licensee document a radiation protection program commensurate with the scope and extent of licensed activities and sufficient to ensure compliance with the provisions of this part.

Contrary to the above, as of March 4, 1994, the licensee did not document a radiation protection program commensurate with the scope and extent of licensed activities and sufficient to ensure compliance with the provisions of this part. Specifically, the radiation protection program was not documented in that the licensee's radiation protection program does not include written procedures such as a pregnancy policy, dosimetry issuance and assessment procedures or bioassay procedures.

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

Pursuant to the provisions of 10 CFR 2.201, Department of Health & Human Services 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.