

ENCLOSURE 1

NOTICE OF VIOLATION

University of Florida
Gainesville, Florida

Docket No. 50-83
License No. R-56

During an NRC inspection conducted on March 21-25, 1994, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," the violation is listed below:

10 CFR 20.1703 stipulates that, when respiratory protection equipment is used to limit intakes of radioactive material in air, the licensee shall: 1) use only equipment that is tested and certified by the National Institute for Occupational Safety and Health/Mine Safety and Health Administration (NIOSH/MSHA) and 2) implement and maintain a respiratory protection program. The respiratory protection program is to include: a) air sampling, b) surveys and bioassays, c) testing of respirators, d) written procedures regarding selection, fitting, issuance, maintenance, and testing of respirators, and e) determination by a physician initially and every 12 months thereafter that the user is physically able to use a respirator. The licensee is also required to issue a written policy statement on respirator usage and advise each respirator user that the user may leave the area at any time for relief.

Contrary to the above, as of March 25, 1994, the licensee had not issued a written policy statement on respirator usage and had not advised users that they could leave the areas at any time for relief. Also, the potential respiratory users had not been fit tested for the types of respiratory protection equipment at the facility.

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

Pursuant to the provisions of 10 CFR 2.201, University of Florida 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 II, 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: (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 6th day of April 1994