

APPENDIX

NOTICE OF VIOLATION

Rapid City Regional Hospital, Inc.  
Rapid City, South Dakota

Docket No. 30-03231/90-01  
License No. 40-00238-04

During an NRC inspection conducted on September 10, 1990, 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 (1990), the violations are listed below:

- A. License Condition 15 states, in part, that the license is based on the licensee's statements and representations in the application dated October 15, 1989.

Item 10.4 of the Attachment to the October 15, 1989, application requires the licensee to adhere to the rules published in Appendix I to the Regulatory Guide 10.8, Revision 2, for safe use of radiopharmaceuticals, which requires, in part, personnel to wear disposable gloves at all times while handling radioactive materials.

Contrary to the above, an individual of the licensee's staff worked behind a shield in the dose preparation area of the hot laboratory without wearing disposable gloves during the inspection on September 10, 1990.

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

- B. 10 CFR 35.220, 35.320, and 35.420 require, in part, that a licensee authorized to use byproduct material for imaging and localization studies, radiopharmaceutical therapy, and implant therapy have in its possession a portable radiation measurement survey instrument capable of measuring dose rates over the range 1 millirem per hour to 1000 millirem per hour.

Contrary to the above, the licensee's only portable radiation measurement survey instrument, Texas Nuclear 2592, Serial No. 1192, was inoperable at the time of the inspection on September 10, 1990.

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

- C. 10 CFR 35.51(a)(3) requires, in part, that a licensee determine the apparent exposure rate from a dedicated check source at the time of calibration of survey instruments.

Contrary to the above, the licensee had not determined the apparent exposure rate from a dedicated check source at the time of calibration of the survey instruments from September 1, 1987, through September 10, 1990.

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

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Pursuant to the provisions of 10 CFR 2.201, Rapid City Regional Hospital, Inc., 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, 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 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. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

Dated at Arlington, Texas  
this 15th day of October 1990