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April 8, 1994
EN 93-091A

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Department of Veterans Affairs Medical Center
Birmingham, Alabama (EA 92-204)
License No. 21-00278-02
Docket No. 030-00810

Subject: IMPOSITION OF CIVIL PENALTY - \$10,000

By EN 93-091 dated September 13, 1993, the Commission was notified of the intent of OE to issue a Notice of Violation and Proposed Imposition of Civil Penalty (Notice) in the amount of \$10,000 to Department of Veterans Affairs Medical Center (Licensee). The action was based the Licensee's failure to maintain complete and accurate records of at least 100 radiopharmaceutical doses administered to patients during a two-year period; failure of the technologist to measure the activity of three radiopharmaceutical doses; failure of the Licensee, through its Radiation Safety Officer (RSO), to ensure that radiation safety activities were conducted in accordance with regulatory requirements; and failure of the RSO to conduct a prompt and adequate investigation.

The Licensee responded to the Notice in a letter dated November 9, 1993. In its responses, the Licensee admitted two violations and denied two violations. Further, the Licensee requested that the proposed civil penalty be mitigated and the severity level of the violations be reduced. After careful consideration of the Licensee's responses, the staff has concluded that the violations did occur as set forth in the Notice and that the Licensee did not provide adequate rationale for mitigation of the penalty.

Accordingly, an Order Imposing Civil Penalty in the amount of \$10,000 has been issued today. Under the terms of the Order, the Licensee may within 30 days of the date of the Order, pay the civil penalty or request a hearing.

Contact: N. Mamish, OE, 504-2740 J. Lieberman, OE, 504-2741

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