

NOTICE OF VIOLATION

Veterans Affairs Medical Center
Seattle, Washington

Docket No. 030-03367
License No. 46-00990-01

During an NRC inspection conducted on March 23-25, 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. 10 CFR 19.12 requires, in part, that all individuals working in a restricted area be instructed in the precautions and procedures to minimize exposure to radioactive materials, in the purpose and functions of protective devices employed, and in the applicable provisions of the Commission's regulations and licenses.

Contrary to the above, on March 24, 1994, an individual was working in research laboratory Building 1, Room 614, a restricted area, but had not been instructed in the applicable provisions of the regulations and the conditions of the license. Specifically, a maintenance worker under contract for the facility had been provided unescorted access to the research laboratory.

This is a Severity Level IV violation (Supplement VI 94-01-01).

- B. 10 CFR 20.1801 requires that the licensee secure from unauthorized removal or access licensed materials that are stored in unrestricted areas. 10 CFR 20.1802 requires that the licensee control and maintain constant surveillance of licensed material that is in an unrestricted area and that is not in storage. As defined in 10 CFR 20.1003, unrestricted area means an area, access to which is neither limited nor controlled by the licensee.

Contrary to the above, on March 23 and 24, 1994, the licensee did not secure from unauthorized removal or limit access to licensed material located in research laboratories 611 and 708, unrestricted areas, nor did the licensee control and maintain constant surveillance of this licensed material. Research laboratory 611 contained approximately 2.0 millicuries of P-32 and 1.75 millicuries of S-35, and research laboratory 708 contained approximately 0.25 millicuries of P-32, 1.0 millicurie of S-35, 0.25 millicuries of H-3, and 0.25 millicuries of P-33.

This is a Severity Level IV violation (Supplement IV 94-01-02).

- C. 10 CFR 20.1902(e) requires that the licensee post each area or room in which certain amounts of licensed material, specified in §20.1902(e), are used or stored, with a conspicuous sign or signs bearing the radiation symbol and the words "CAUTION, RADIOACTIVE MATERIAL(S)" or "DANGER, RADIOACTIVE MATERIAL(S)."

Contrary to the above, as of March 24, 1994, the waste storage area adjacent to the main parking lot, an area in which tritium, carbon-14, iodine-125, and sulfur-35 radioactive waste was stored, and Research Laboratory, Building 13, Room 123, an area in which approximately 500 microcuries of phosphorus-32 was stored and used, were not posted with a conspicuous sign

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or signs bearing the radiation symbol and the words "CAUTION, RADIOACTIVE MATERIAL(S)" or "DANGER, RADIOACTIVE MATERIAL(S)."

This is a Severity Level IV violation (Supplement IV 94-01-03).

- D. License Condition 25 requires in part that the licensee possess and use licensed material in accordance with the statements, representations, and procedures contained in the application dated September 20, 1989.

The license application dated September 20, 1989, Attachment 10.1.4, Section II.B.2, requires personnel to handle radioiodine in an approved fume hood with a face velocity of 150 scfm.

Contrary to the above, between September 1991 and March 24, 1994, at least eight research labs have processed radioiodine in a fume hood that had not been approved by the licensee.

This is a Severity Level IV violation (Supplement VI 94-01-04).

- E. License Condition 25 requires in part that the licensee possess and use licensed material in accordance with the statements, representations, and procedures contained in the application dated September 20, 1989.

The license application dated September 20, 1989, Attachment 10.4.1.1 requires that personnel wear laboratory coats in areas where radioactive materials are used.

Contrary to the above, on March 23, 1994, a nuclear medicine technologist was observed handling licensed material without wearing a laboratory coat.

This is a Severity Level IV violation (Supplement VI 94-01-05).

- F. License Condition 25 requires in part that the licensee possess and use licensed material in accordance with the statements, representations, and procedures contained in the application dated September 20, 1989.

The license application dated September 20, 1989, Attachment 10.12.1, requires users to perform informal surveys in research laboratories using small quantities of radioactive materials. Based on discussions with licensee personnel, informal surveys are performed during and after experiments using licensed materials in order to detect personal and work station contamination. The licensee's limit for unrestricted area contamination is 2,000 dpm.

Contrary to the above, as of March 23, 1994, licensee personnel assigned to research laboratory Building 1, Room 611, did not possess a suitable survey instrument for detecting P-32 contamination. Specifically, the results of the licensee's survey when compared to the inspector's and the licensee's health physics representative's independent surveys determined that the end window GM detector used in Room 611 detected approximately 1,000 dpm compared to the inspector's/health physics measurements of approximately 16,000 dpm using a pancake probe.

This is a Severity Level IV violation (Supplement VI 94-01-06).

G. License Condition 25 requires in part that the licensee possess and use licensed material in accordance with the statements, representations, and procedures contained in the application dated September 20, 1989.

The license application dated September 20, 1989, Attachment 10.1.2.b specifies that the maximum possession limit for each principle investigator will be specified on the Hazards Analysis Form.

Contrary to the above, as of March 24, 1994 the following Principle Investigators had exceeded their maximum possession limits:

<u>Principle Investigator</u>	<u>Amount Exceeded</u>
Matsumoto	I-125 10uCi
Sandell	P-32 250uCi
Roth	S-35 2.25mCi
G.Martin	I-125 250uCi
Shields	H-3 6.6mCi
Lilly	S-35 250uCi

This is a Severity Level IV violation (Supplement VI 94-01-07).

Pursuant to the provisions of 10 CFR 2.201, Veterans Affairs Medical Center, Seattle, Washington, 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 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. 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 Walnut Creek, California
this 15th day of April 1994