DEPARTMENT OF VETERANS AFFAIRS
Medical Center
500 Foothill Blvd.
Salt Lake City UT 84148

March 30, 1994

In Reply Refer To: 660/00

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555

"Reply to a Notice of Violation"

Subj: License: 43-03299-01
Docket: 030-03273

This refers to a response requested to a letter dated Mar. 15, 1994 that resulted from an inspection of our facilities conducted on March 3-4, 1994 by Mr. Gilbert L. Guerra, Jr.

Listed below are the violations as cited, followed by the response to the violation.

A. License Condition 14 of Byproduct Materials License 43-03299-01 states that the license is based on the licensee's statements and representations contained in the application dated March 28, 1988.

1. Item 3 of Section 10.12, "Area Survey Procedures," of the application states that all elution, preparation, injection areas will be surveyed daily by the personnel working in that area.

Contrary to the above, as of March 4, 1994, daily surveys of all applicable injection areas had not been conducted. Specifically, the licensee had only conducted daily surveys of the Nuclear Medicine Hot Lab (preparation area).

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

Response:

The reason for the violation was simply an oversight, the survey map for performing daily surveys has been amended to include all of the scanning rooms as well as the injection area and the hot lab. All of the nuclear medicine staff have been instructed to expand the end of the day exposure survey to include all of the areas indicated on the new map. Full compliance has been achieved at this time.

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2. Section 10.7, "Procedures for Opening Packages Containing Radioactive Material," of the application states, in part, that the exposure rate is to be measured at 3 feet from the package surface and recorded, and if damage is noted, the wipe tests described in paragraphs 6 and 8 must be performed.

Contrary to the above, as of March 4, 1994, the licensee had been receiving packages containing technetium-99m, a radioactive material, and the licensee had not been monitoring the packages for radiation levels or, if required, for radioactive contamination.

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

Response:

A form has been developed for performing the required package survey (exposure rate and contamination) for all packages containing byproduct material (exposure rate only for Xe-133). All of the nuclear medicine staff have been instructed on how to perform the package survey on packages that contain byproduct material. Full compliance has been achieved at this time.

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B. 10 CFR 20.1501 requires that each licensee make or cause to be made surveys that may be necessary for the licensee to comply with the regulations in Part 20 and that are reasonable under the circumstances to evaluate the extent of radiation levels, concentrations or quantities of radioactive materials, and the potential radiological hazards that could be present.

Pursuant to 10 CFR 20.1003, survey means an evaluation of the radiological conditions and potential hazards incident to the production, use, transfer, release, disposal, or presence of radioactive material or other sources of radiation.

Contrary to the above, as of March 4, 1994, the licensee did not make surveys to assure compliance with 10 CFR 20.1201 and 20.1301, which limits radiation exposure to adults (occupationally exposed) and to individual members of the public. Specifically, the licensee had been conducting compaction operations and had not evaluated the extent of radiation levels, concentrations of quantities of radioactive materials, and the potential radiological hazards that could be present.

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

Response:

This violation is being contested based on monthly surveys that are conducted in the waste facility by radiation safety. Contamination surveys are performed in the facility on a monthly basis, all recent monthly surveys have indicated no or insignificant contamination inside the waste compaction room. The contamination levels are evaluated with a thin window pancake detector, a thin NaI detector or LSC depending on the types of byproduct material that may have been compacted in the facility during the month. If there is no contamination found inside the compaction facility it is not possible for a worker to have received an internal dose nor is it possible for a member of the public to receive an internal dose outside of the facility. External exposure to workers or the public has also not occurred because if direct contamination surveys do not indicate presence of radioactive material there is no material present that can give external exposures inside the facility to workers or outside the facility to members of the public.

Sincerely,

William L. Hodson
Medical Center Director

cc:
Regional Administrator
Region IV
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