APPENDIX

NOTICE OF VIOLATION

Eastern Oklahoma Medical Center
Poteau, Oklahoma

Docket No. 030-11490/90-01
License No. 35-16700-01

During an NRC inspection conducted on November 1, 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:

1. 10 CFR 35.27(a) requires, in part, that a licensee may permit any visiting authorized user to use licensed material for medical use under the terms of the licensee's license for 60 days each year if the visiting authorized user has the prior written permission of the institution's radiation safety committee.

   Contrary to the above, a visiting authorized user used licensed material for medical use under the terms of the licensee's license during September and October 1990, without the prior written permission of the institution's radiation safety committee.

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

2. 10 CFR 35.50(c) requires that a licensee check each dose calibrator for accuracy, linearity, and geometry after dose calibrator repair, adjustment, or relocation prior to use of the dose calibrator for patient dose assessment.

   Contrary to the above, records indicated that the licensee's Capintec dose calibrator, Serial No. 30134 was repaired on March 25, 1988, and returned to the licensee on March 28, 1988, and was used to assay patient doses on March 28, March 31, April 12, and April 13, 1988, without the required accuracy, linearity, and geometry test being performed prior to use.

   This is a Severity Lev ` IV violation (Supplement VI).

3. 10 CFR 35.50(b)(3) requires, in part, that the licensee test the dose calibrator for linearity over the range of its use between the highest dosage that will be administered to a patient and 10 microcuries.

   Contrary to the above, checks for linearity of the licensee's dose calibrator from January 22, 1988, through October 6, 1989, were not tested down to 10 microcuries.

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

4. 10 CFR 35.59(b)(2) requires that each sealed source or brachytherapy source be tested for leakage at intervals not to exceed 6 months or at other intervals approved by the Commission or an Agreement State.

Contrary to the above, Sealed Source SN 3560180A-38 containing 201 microcuries of Cs-137 with a required leak test frequency of 6 months was not tested for leakage between October 1988 and June 1990.

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

5. 10 CFR 35.21(b)(5) requires that the radiation safety officer of a medical institution establish personnel exposure investigational levels that, when exceeded, will initiate a prompt investigation by the radiation safety officer of the cause of the exposure and a consideration of actions that might be taken to reduce the probability of recurrence.

Contrary to the above, as of November 1, 1990, the radiation safety officer had not conducted an investigation of the cause of the exposures of 410 mrem which occurred between September 15 and October 14, 1988, and 220 mrem which occurred between October 15 and November 14, 1988, and which exceeded the licensee's established investigational level.

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

Pursuant to the provisions of 10 CFR 2.201, Eastern Oklahoma Medical Center is hereby required to submit to this office, within 30 days of the date of the letter transmitting this Notice, a written statement or explanation in reply, including for each violation: (1) the reason for the violation if admitted, (2) the corrective steps which have been taken and the results achieved, (3) the corrective steps which will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending the response time.

Dated at Arlington, Texas
this 30 day of Nov. 1990