APPENDIX A

NOTICE OF VIOLATION

Community Hospital
Torrington, Wyoming

Docket No. 30-20277/90-01
License No. 49-23121-01

During an NRC inspection conducted on October 11-24, 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 35.22(a)(2) requires that the licensee's Radiation Safety Committee (RSC) meet at least quarterly.

   Contrary to the above, although the RSC met in August 1989 upon opening the nuclear medicine department after its shutdown from March 1988 to August 1989, the RSC did not meet during the fourth quarter of 1989.

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

   This is a repeat violation.

2. A. 10 CFR 35.50(b)(1) requires, in part, that the licensee check each dose calibrator for constancy daily with a dedicated check source on a frequently used setting.

      Contrary to the above, from June 1987 to October 1990, the technetium-99m setting on the dose calibrator was not checked even though this was the only setting used.

   B. 10 CFR 35.50(b)(3) requires, in part, that the licensee test each dose calibrator for linearity upon installation and at least quarterly thereafter. 10 CFR 35.50(e)(3) requires, in part, that records of linearity tests include the signature of the radiation safety officer.

      Contrary to the above, the licensee failed to test the dose calibrator for linearity during the fourth quarter of 1989, and the record of the linearity test performed in September 1990 did not include the signature of the radiation safety officer.

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

3. A. 10 CFR 35.51(b) requires, in part, that when calibrating a survey instrument, the licensee consider a point as calibrated if the indicated exposure rate differs from the calculated exposure rate by not more than 20 percent.

Contrary to the above, the record of the September 1990 calibration of the lowest reading scale of the licensee's only survey meter, a Victoreen Model CDV-700, affirmed that the indicated exposure rate differed from the calculated exposure rate by more than 20 percent.

B. 10 CFR 35.220 requires, in part, that a licensee authorized to use byproduct material for imaging and localization studies 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, as of October 11, 1990, the licensee did not have in its possession a survey instrument capable of measuring dose rates in excess of 50 millirem per hour.

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

4. 10 CFR 35.70(f) requires that the licensee conduct the surveys required by 10 CFR 35.70(e) so as to be able to detect contamination on each wipe sample of 2000 disintegrations per minute.

Contrary to the above, as of October 11, 1990, the licensee had not performed any calculations or determinations to demonstrate that surveys of wipe samples could detect 2000 disintegrations per minute of contamination. The licensee has used the dose calibrator to perform such surveys. This device would not reasonably be expected to detect this level of contamination.

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

5. 10 CFR 35.204(b) requires that a licensee that uses molybdenum-99/technetium-99m generators for preparing a technetium-99m radiopharmaceutical measure the molybdenum-99 concentration in each eluate or extract.

Contrary to the above, from August 1989 through October 1990, the molybdenum-99 concentration was not measured in that an improper method was used to determine the amount of molybdenum-99 in the eluate.

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

Pursuant to the provisions of 10 CFR 2.201, Community Hospital 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, and if applicable, a copy to the NRC Resident Inspector, 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 3rd day of December 1990