

APPENDIX A

NOTICE OF VIOLATION

Waterbury Hospital
Waterbury, Connecticut 06721

Docket No. 030-01251
License No. 06-02406-01

During an NRC inspection conducted on March 22 and 23, 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 35.22(a)(3) requires that to establish a quorum and conduct business, at least one half of the Radiation Safety Committee's membership must be present, including the Radiation Safety Officer and the management's representative.

Contrary to the above, on August 19, 1993, the licensee's Radiation Safety Committee met and conducted business and the Radiation Safety Officer was not present.

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

- B. 10 CFR 35.92(a) permits a licensee to dispose of byproduct material with a physical half-life of less than 65 days in ordinary trash provided, in part, that the licensee first monitors such byproduct material at the container surface and determines that its radioactivity cannot be distinguished from the background radiation level with a radiation detection survey meter set on its most sensitive scale and with no interposed shielding.

Contrary to the above, on February 17, 1994, the licensee disposed of 94 microcuries of technetium-99m in ordinary trash without first monitoring this material to determine that its radioactivity could not be distinguished from the background radiation level.

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

- C. 10 CFR 35.50(b)(4) requires, in part, that a licensee test each dose calibrator for geometry dependence upon installation over the range of volumes and volume configurations for which it will be used.

Contrary to the above, the licensee did not test its dose calibrator for geometry dependence at the time of installation, which occurred on December 1, 1992.

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

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- D. 10 CFR 35.50 and 35.59 require, in part, that a licensee retain records of dose calibrator geometrical dependence tests, dose calibrator linearity tests, sealed source leak tests, and sealed source inventories and that the records include the signature of the Radiation Safety Officer.

Contrary to the above, as of March 23, 1994, the licensee's records of the geometrical dependence test of its dose calibrator, the linearity tests of the dose calibrator, sealed source leak tests, and the sealed source inventories did not include the signature of the Radiation Safety Officer.

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

Pursuant to the provisions of 10 CFR 2.201, Waterbury 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 I, 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.