

NOTICE OF VIOLATION

The General Hospital at Passaic
Passaic, New Jersey

Docket No. 030-08130
License No. 29-01040-03
EA 90-198

During an NRC inspection conducted on June 20, 1990, as well as a subsequent investigation conducted by the NRC Office of Investigations, 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 set forth below:

- A. 10 CFR 30.9(a) requires, in part, that information required by statute or by the Commission's regulations, orders, or license conditions to be maintained by the applicant or licensee shall be complete and accurate in all material respects.

10 CFR 35.70(h) requires that a licensee shall retain a record of each daily survey of areas where radiopharmaceuticals are routinely prepared for use or administered.

Contrary to the above, on June 14, 1990, a staff nuclear medicine technologist recorded the results of a daily area survey for the hot laboratory when, in fact, a survey had not been performed.

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

- B. 10 CFR 35.21(a) requires that medical licensees appoint a Radiation Safety Officer (RSO) responsible for implementing the radiation safety program. The licensee, through the RSO, is required to ensure that radiation safety activities are performed in accordance with approved procedures. 10 CFR 35.21(b)(2)(v) requires that the Radiation Safety Officer establish and implement written policy and procedures for using byproduct material safely. The licensee's Radiation Safety Officer has established such procedures, which are described in NRC Regulatory Guide 10.8, Revision 2, Appendix J. Appendix J requires, in part, that the licensee prevent the spread of contamination from an incident, clean up the spill, check hands, clothing and shoes for contamination, and report the incident to the RSO.

Contrary to the above, on June 14, 1990, Appendix J, "Model Spill Procedure," was not implemented when contamination of the hot lab floor was identified by a staff nuclear medicine technologist in that the spill was not cleaned up, and the incident was not reported to the RSO until the following day.

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

- C. 10 CFR 35.70(a) requires that a licensee survey with a radiation detection survey instrument at the end of each day of use all areas where radiopharmaceuticals are routinely prepared for use or administered.

OFFICIAL RECORD COPY

CP PKG GEN HOSP PASSAIC 12/6 -

0005.0.0

9012140237 901207
REG1 LIC30
29-01040-03 PDC

12/06/90

Contrary to the above, on June 14, 1990, a survey with a radiation detection instrument was not performed in the hot laboratory, an area where radiopharmaceuticals were routinely prepared, and in fact, were used and administered that day.

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

Pursuant to the provisions of 10 CFR 2.201, The General Hospital at Passaic 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). The reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each alleged violation: (1) admission or denial of the alleged violation, (2) the reasons for the violation if admitted, (3) the corrective steps that have been taken and the results achieved, (4) the corrective steps that will be taken to avoid further violations, and (5) 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. Consideration may be given to extending the response time for good cause shown. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

FOR THE NUCLEAR REGULATORY COMMISSION

Original Signed By:

Thomas T. Martin

Thomas T. Martin
Regional Administrator

Dated at King of Prussia, Pennsylvania
this 7 day of December 1990