

NOTICE OF VIOLATION

Borgess Medical Center
Kalamazoo, Michigan

License No. 21-12275-01
Docket No. 030-00280

During an NRC inspection conducted on April 13 through 19, 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:

1. Condition 11 of License No. 21-12275-01 names the individual who is approved to serve as the licensee's Radiation Safety Officer.

Contrary to the above, on March 25, 1994, the approved individual named to serve as the licensee's Radiation Safety Officer was no longer affiliated with the licensee. Specifically, the licensee did not ensure that the approved Radiation Safety Officer, William Vande Riet, Ph.D., was available to the licensee until medical use of the teletherapy unit ceased on or about April 18, 1994.

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

2. Condition 12 of License No. 21-12275-01 names the individual who is approved to serve as the licensee's teletherapy physicist.

Contrary to the above, on March 25, 1994, the approved individual named to serve as the licensee's teletherapy physicist was no longer affiliated with the licensee. Specifically, the licensee continued medical use of the teletherapy unit from March 28, 1994, until approximately April 18, 1994, and William Vande Riet, Ph.D., was not available to serve as the licensee's teletherapy physicist.

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

Pursuant to the provisions of 10 CFR 2.201, Borgess Medical Center is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, Region III, 801 Warrenville Road, Lisle, Illinois, 60532-4351, 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 as to 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.

MAY 10 1994

Dated _____



John D. Jones, Acting Chief
Nuclear Materials Inspection
Section 2