

ENCLOSURE

NOTICE OF VIOLATION

West Virginia University  
Morgantown, West Virginia

Docket No. 030-20199  
License No. 47-23035-01

During the Nuclear Regulatory Commission (NRC) inspections conducted on July 16-18, 1990, and November 15, 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:

- A. 10 CFR 20.201(b) requires that each licensee make such surveys as may be necessary to comply with the requirements of Part 20 and which are reasonable under the circumstances to evaluate the extent of radiation hazards that may be present. As defined in 10 CFR 20.201(a), "survey" means an evaluation of the radiation hazards incident to the production, use, release, disposal, or presence of radioactive materials or other sources of radiation under a specific set of conditions.

Contrary to the above, the licensee did not make surveys to determine that individuals were not exposed to airborne concentrations exceeding the limits specified in 10 CFR 20.103. Specifically, between 1988 and July 18, 1990, surveys were not performed to assess individual exposures to airborne concentrations of radiiodines as a result of iodination procedures conducted in Room G-013 of the Agricultural Sciences Building.

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

- B. Condition 24 of License No. 47-23035-01 requires that licensed material be possessed and used in accordance with statements, representations and procedures contained in an application dated May 22, 1984; West Virginia University, Radiation Safety Manual dated December 1981; and letters dated July 30, 1984, December 12, 1984 and March 1, 1985, and attachments thereto.

Contrary to the above, from April 1986 until July 18, 1990, the licensee had not been conducting its Radiation Safety Program in accordance with the West Virginia University Radiation Safety Manual dated December 1981. Specifically, the licensee adopted a new radiation safety manual in April 1986 without first having their license amended to authorize the use of the new manual.

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

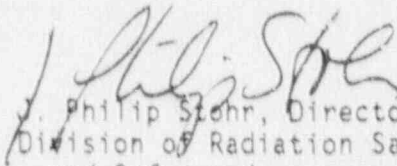
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Pursuant to the provisions of 10 CFR 2.201, West Virginia University is hereby required to submit a written statement or explanation to the Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555, with a copy to the Regional Administrator, Region II, within 30 days of the date of the letter transmitting this Notice. This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) admission or denial of the violation, (2) the reason for the violation if admitted, (3) the corrective steps which have been taken and the results achieved, (4) the corrective steps which will be taken to avoid further violations, and (5) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending the response time. 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.

FOR THE NUCLEAR REGULATORY COMMISSION

  
J. Philip Stohr, Director  
Division of Radiation Safety  
and Safeguards

Dated at Atlanta, Georgia  
this 31<sup>st</sup> day of December 1990