

APPENDIX
NOTICE OF VIOLATION

Veterans Administration Medical Center
New Orleans, Louisiana

Docket No. 030-15040
License No. 17-01322-07

During an NRC inspection conducted on November 1-2, 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. A. 10 CFR 19.12 requires, in part, that all individuals working in a restricted area be instructed in the precautions and procedures to minimize exposure to radioactive materials, in the purpose and functions of protective devices employed, and in the applicable provisions of the Commission's regulations and licenses.

Contrary to the above, as of November 2, 1990, an individual who was working in the fifth floor research area, a restricted area, had not been instructed in the applicable provisions of the regulations and the conditions of the license.

- B. License Condition 15 requires that licensed material be possessed and used in accordance with statements, representations, and procedures contained in the application dated February 22, 1984.

Block 15 of the application, general rules for the safe use of radioactive material, states that procedures for the safe use of radioactive material will be followed in accordance with procedures found in the medical center's Radiation Safety Manual.

Section VI, Item H of the Radiation Safety Manual states that personnel monitoring devices will be worn at all times while in areas where radioactive materials are used or stored.

Contrary to the above, as of November 2, 1990, an individual had been working in the fifth floor research area, a restricted area, without a personnel monitoring device.

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

2. 10 CFR 35.50(b)(1) requires that licensees check each dose calibrator for constancy with a dedicated check source at the beginning of each day of use and that the check be done on a frequently used setting.

Contrary to the above, from August 1989 to November 1990, a dose calibrator used to measure patient doses of radiopharmaceuticals was not checked for constancy at a frequently used setting with a dedicated check source at the beginning of each day.

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

3. 10 CFR 35.70(a) requires that licensees 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.

Contrary to the above, from August 1989 to November 1990, a survey with a radiation detection instrument was not performed each day in an area where radiopharmaceuticals were routinely prepared, specifically in the nuclear medicine department.

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

Pursuant to the provisions of 10 CFR 2.201, Veterans Administration Medical Center 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, 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.

Dated at Arlington, Texas
this 9th day of January 1991