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FEB 11 1991

Docket Nos. 030-01867  
030-00239

License Nos. 20-03814-80  
20-03814-14

Massachusetts General Hospital  
ATTN: Ms. Maryanne Spicer  
Administrative Director of Safety  
55 Fruit Street  
Boston, Massachusetts 02114

Gentlemen:

Subject: Inspection No. 030-01867/90-01

This refers to your letter dated October 31, 1990, in response to our letter dated October 3, 1990.

Thank you for informing us of the corrective and preventive actions documented in your letter. These actions will be examined during a future inspection of your licensed program.

Regarding your response in Section A of your letter, we note that you did not consider the area where radiopharmaceuticals are used for thyroid disease to be a part of your "Nuclear Medicine Department". However, this area is considered a nuclear medicine area for the purposes of compliance with the regulations and your license commitments. Nuclear medicine areas are described as "all areas where radiopharmaceuticals are used or stored" in Regulatory Guides 10.8, revisions 1 and 2, and 10 CFR 35.70. Therefore, this violation remains a repetitive problem, as stated in our letter dated October 3, 1990 transmitting the Notice of Violation.

With respect to your response to Item B of our Notice of Violation, we note that you disagreed with our finding that you failed to use process or other engineering controls to limit concentrations of radioactive materials in air. Further, you stated that you identified this problem and were in the process of taking corrective actions, indicating that you believed that credit should have been given to you for identifying this problem and initiating corrective actions, as stated in Section V.G of Appendix C, 10 CFR 2.

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The NRC considers elevated personnel uptakes to be self-revealing problems, not licensee identified violations. Therefore, the exercise of discretion, as described in the enforcement guidance of 10 CFR 2, Appendix C was not applicable in this case. Further, through discussions with personnel interviewed during the inspection, and in your letter dated October 31, 1990, you stated that there was a problem with the air flow in the hood used to perform radioiodinations. Therefore, you essentially admitted that the engineering controls (the chemical fume hood) were inadequate to limit concentration of radioactive materials in air. Further, you stated that although you suspected that the chemical fume hood was inadequate, and initiated the procurement of a minihood, you did not take prompt action to limit concentrations of radioactive materials in air. This resulted in additional intakes of radioactive materials in laboratory workers. Therefore, this violation will remain as stated. We note that although you disagreed with the violation, you described actions to correct this problem. These corrective actions will be examined during the next routine inspection.

Your cooperation with us is appreciated.

Sincerely,

Original Signed By:  
Mohamed M. Shanbaky

Mohamed M. Shanbaky, Chief  
Nuclear Materials Safety Section A  
Division of Radiation Safety  
and Safeguards

cc:  
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