

ENCLOSURE

NOTICE OF VIOLATION

Hato Rey Community Hospital  
Hato Rey, Puerto Rico

Docket No. 030-13199  
License No. 52-17704-01

During an NRC inspection conducted on March 30, 1991, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Action," 10 CFR Part 2, Appendix C (1991), the violation is listed below:

10 CFR 35.92(a) permits a licensee to dispose of byproduct material with a physical half-life of less than 65 days in ordinary trash provided, in part, that the licensee first monitors such byproduct material at the container surface and determines that its radioactivity cannot be distinguished from the background radiation level with a radiation detection survey meter set on its most sensitive scale and with no interposed shielding.

Contrary to the above, on March 30, 1991, the licensee disposed of Technicium-99m contaminated materials in ordinary trash without first monitoring this material to determine that its radioactivity could not be distinguished from the background radiation level.

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

Pursuant to the provisions of 10 CFR 2.201, Hato Rey Community Hospital is hereby required to submit a written statement or explanation to the Regional Administrator, Region II with a copy to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, within 30 days of the date of the letter transmitting this Notice of Violation. 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 this 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 Atlanta, Georgia  
this 5<sup>th</sup> day of May, 1992

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