

ENCLOSURE

NOTICE OF VIOLATION

Mayaguez Medical Center
Mayaguez, Puerto Rico

Docket No. 030-00571
License No. 52-13598-01

During an NRC inspection conducted on December 17, 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 35.615(d)(5) requires that if a radiation monitor is inoperable, the licensee shall require any individual entering the teletherapy room to use a survey instrument or audible alarm personal dosimeter to monitor for any malfunction of the source exposure mechanism that may result in an exposed or partially exposed source.

Contrary to the above, the licensee did not require individuals, upon each entrance into the teletherapy room to use a survey instrument or audible alarm personal dosimeter between October 31, 1989 and November 1, 1990, when the permanent radiation monitor was inoperable.

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

- B. 10 CFR 35.615(d)(6) requires a licensee to promptly repair or replace the permanent radiation monitor installed in the teletherapy room if it is inoperable.

Contrary to the above, between October 31, 1989 and November 1, 1990, the licensee did not repair or replace the permanent radiation monitor which was inoperable during that interval.

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

- C. 10 CFR 35.632(a)(3) requires a licensee authorized to use a teletherapy unit for medical use to perform full calibration measurements at intervals not exceeding one year.

Contrary to the above, between September 16, 1988 and January 12, 1990, an interval exceeding one year, the licensee did not perform full calibration measurements of the teletherapy unit.

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

- D. 10 CFR 35.22(a)(3) requires that to establish a quorum and conduct business, at least one half of the Radiation Safety Committee's membership must be present, including the Radiation Safety Officer and the management's representative.

Contrary to the above, on April 23, 1990 and October 26, 1990, the licensee's Radiation Safety Committee met and conducted business, and a quorum was not established in that the management representative was not present.

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

- E. 10 CFR 35.51(b) requires that when calibrating a survey instrument, a licensee considers a point as calibrated if the indicated exposure rate differs from the calculated exposure rate by not more than 20 percent.

Contrary to the above, as of December 17, 1990, the licensee considered NUCOR Model CS-40A and Xetex Model 305B survey meters as calibrated when the indicated exposure rates differed from the calculated exposure rates by as much as 40 percent.

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

- F. 10 CFR 35.51(d) requires, in part, that a licensee retain a record of each survey instrument calibration for three years.

Contrary to the above, as of December 17, 1990, the licensee did not retain all records of survey instrument calibrations performed in the last three years.

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

- G. 10 CFR 35.632(g) requires in part that a licensee retain a record of each full calibration measurement required by 10 CFR 35.632(a) and (b), which must include among other things a determination of the coincidence of the radiation field and the field indicated by the light beam localizing device, an assessment of timer linearity and constancy, the calculated on-off error, and the estimated accuracy of each distance measuring or localization device.

Contrary to the above, as of December 17, 1990, the licensee's retained records of full calibration measurements required by 10 CFR 35.632(a) and (b) did not include the required information.

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

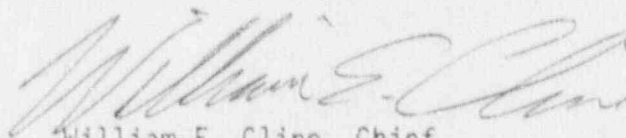
- H. 10 CFR 35.634(f) requires in part that a licensee retain a record of each spot-check required by 10 CFR 35.634 (a) and (b) which must include, among other things, an assessment of timer linearity and constancy, the calculated on-off error, a determination of the coincidence of the radiation field and the field indicated by the light beam localizing device, the determined accuracy of each distance measuring or localization device, and the difference between the anticipated output and the measured output.

Contrary to the above, as of December 17, 1990, the licensee's retained records of spot-checks required by 10 CFR 35.634(a) and (b) did not include the required information.

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

Pursuant to the provisions of 10 CFR 2.201, Mayaguez 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 II, 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.

FOR THE NUCLEAR REGULATORY COMMISSION



William E. Cline, Chief
Nuclear Materials Safety and
Safeguards Branch
Division of Radiation Safety
and Safeguards

Dated at Atlanta, Georgia
this 23 day of January 1991