



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION IV  
611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-8064

JUN 6 1994

Docket: 030-32223  
License: 11-27398-01MD  
EA: 94-096

Nuclear Pharmacy of Idaho, Inc.  
ATTN: Mr. Ned Gregorio  
6053 Corporal Lane  
Boise, Idaho 83702

SUBJECT: NRC INSPECTION REPORT 030-32223/94-02

This refers to the special, unannounced inspection conducted by Mr. Mark R. Shaffer of this office on May 16-17, 1994. The inspection included a review of activities authorized by Byproduct Materials License 11-27398-01MD. At the conclusion of the inspection, the findings were discussed with members of your staff. The enclosed NRC Inspection Report 030-32223/94-02 documents this inspection.

The inspection was an examination of activities conducted under the license as they relate to radiation safety and to compliance with the Commission's rules and regulations and the conditions of the license. The inspection consisted of selective examinations of procedures and representative records, interviews of personnel, independent measurements, and observation of activities in progress.

Based on the results of this inspection, one apparent violation was identified and is being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), 10 CFR Part 2, Appendix C. This violation related to airborne radioiodine effluent exceeding the maximum permissible concentration (MPC) prescribed in 10 CFR part 20 for the calendar year 1993. Accordingly, no Notice of Violation is presently being issued for these inspection findings. In addition, please be advised that the number and characterization of apparent violations described in the enclosed inspection report may change as a result of further NRC review.

An enforcement conference to discuss this apparent violation has been scheduled for 9:00 a.m. (CDT) on July 1, 1994. The decision to hold an enforcement conference does not mean that the NRC has determined that a violation has occurred or that enforcement action will be taken. The purposes of this conference are to discuss the apparent violation, its cause and safety significance; to provide you the opportunity to point out any errors in our inspection report; and to provide an opportunity for you to present your proposed corrective action.

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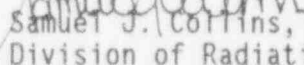
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In particular we expect you to address why you took no corrective action to mitigate airborne emissions even though your air sample data indicated that the MPC was regularly exceeded. In addition, this is an opportunity for you to provide any information concerning your perspectives on 1) the severity of the violation, 2) the application of the factors that the NRC considers when it determines the amount of a civil penalty that may be assessed in accordance with Section VI.B.2 of the Enforcement Policy, and 3) any other application of the Enforcement Policy to this case, including the exercise of discretion in accordance with Section VII. You will be advised by separate correspondence of the results of our deliberations on this matter. No response regarding the apparent violation is required at this time.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosures will be placed in the NRC Public Document Room.

Should you have any questions concerning this letter, please contact the Mr. Charles Cain of my staff at (817) 860-8186.

Sincerely,

  
Samuel J. Collins, Director  
Division of Radiation Safety  
and Safeguards

Enclosures:

1. Appendix A - NRC Inspection Report  
030-32223/94-02
2. Appendix B - Proposed Enforcement  
Conference Agenda
3. Copy of the NRC Enforcement Policy

cc:

Idaho Radiation Control Program Director

Consolidated Property Management  
ATTN: Jerry Jansen, Property Manager  
P.O. Box 2666  
Boise, Idaho 83701

bcc:  
 DMB - Original (IE-07)  
 LJCallan  
 SJCollins  
 RAScarano  
 DWeiss, OC/LFDCB (T-9E10)  
 WLFisher  
 CLCain  
 FAWenslawski  
 MRShaffer  
 NMIB  
 MIS System  
 RIV Files (2)  
 RWis, AC  
 GFSanborn, OE  
 JLieberman, EO (7 H5)

RIV:NMIB	AC:NMIB <i>JJK</i>	DD:DRSS	D:DRSS	
MRShaffer*	CLCain <i>CLC</i>	RAScarano	SJCollins	
1 /94	6/3/94	1 /94	6/3/94	

\*previously concurred

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