

DCS

OFFICE OF ENFORCEMENT  
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Ohio State University (EA 94-032)  
Docket Nos. 030-02640, 030-31605, and 030-32479

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - \$ 17,750

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$17,750 will be issued on or about June 10, 1994 to Ohio State University. This action is based on a significant breakdown in the management of the radiation safety program as evidenced by the failure to file a Decommissioning Funding Plan as required by license condition; failure to comply with 10 CFR Part 36; and failure to develop, implement, and submit a medical quality management program as required pursuant to 10 CFR 35.32. These violations were categorized as a Severity Level II problem and assessed a \$14,000 penalty. The base penalty for a severity level II problem is \$4,000. The penalty was increased 50 percent since NRC identified the violations, 100 percent because the licensee had a prior opportunity to identify the violations and 100 percent for the multiple occurrence factor. Additional violations were categorized at Severity Level III and assessed a penalty of \$3,750 for failure to control or secure licensed material in unrestricted areas. The base value for a Severity Level III is \$2,500. The base penalty was mitigated 50 percent for Licensee identification and escalated 100 percent for the multiple occurrence factor. Other factors in the enforcement policy were considered and no further adjustment was appropriate.

It should be noted that the licensee has not been specifically informed of the enforcement action. The schedule of issuance and notification is:

Mailing of Notice June 10, 1994  
Telephone Notification of Licensee June 10, 1994

The State of Ohio will be notified.

The licensee has thirty days from the date of the Notice in which to respond. Following NRC evaluation of the response, the civil penalty may be remitted, mitigated, or imposed by Order.

Contact: P. Santiago, OE 504-3055 J. Lieberman, OE, 504-2741

Distribution:

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**PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL VERIFICATION THAT LICENSEE HAS RECEIVED ACTION**

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