

APPENDIX

NOTICE OF VIOLATION

Cardiology of Tulsa, Inc.  
Owasso, Oklahoma 74055

Docket: 030-22309  
License: 35-23195-01

During an NRC inspection conducted on June 2, 1994, 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, the violations are listed below:

- A. 10 CFR 20.1302(a) requires, in part, that each licensee shall make or cause to be made, as appropriate, surveys of radiation levels in unrestricted and controlled areas to demonstrate compliance with the dose limits for individual members of the public in accordance with 10 CFR 20.1301.

Pursuant to 10 CFR 20.1003, survey means an evaluation of the radiological conditions and potential hazards incident to the production, use, transfer, release, disposal, or presence of radioactive material or other sources of radiation.

Contrary to the above, as of June 2, 1994, the licensee had not made surveys in accordance with 10 CFR 20.1302(a) to ensure compliance with 10 CFR 20.1301, which limits the total effective dose equivalent to individual members of the public to 0.1 rem in a year. Specifically, from January through May 1994, the licensee failed to evaluate radiation levels present in unrestricted areas (hallway with common wall to nuclear medicine hot lab) due to the presence of radioactive waste stored in the hot lab of the licensee's facility.

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

- B. 10 CFR 35.14 requires, in part, that a licensee notify the NRC by letter within 30 days when an authorized user permanently discontinues performance of duties under the license.

Contrary to the above, on or about March 31, 1994, a licensee's authorized user permanently discontinued performance of duties under the license and the licensee had not notified NRC as of June 2, 1994, a period in excess of 30 days.

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

Pursuant to the provisions of 10 CFR 2.201, Cardiology of Tulsa, Inc., 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 IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011, 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 or a Demand for Information 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.

Dated at Arlington, Texas  
this 20th day of June 1994

bcc:

DMB - Original (IE-07)

LJCallan

SJCollins

RAScarano

DWeiss, OC/LFDCB (T-9E10)

\*WLFisher

\*CLCain

\*FAWenslawski, WCFO

\*RALeonardi

\*NMIB

\*MIS System

\*RIV Files (2)

\*W/IFS Form

RIV:NMIS <i>RCY</i>	AC:NMIS <i>WA</i>	DD:DRSS <i>WA</i>	D:DRSS <i>WA</i>	
RALeonardi	CLCain	RAScarano	SJCollins <i>WA</i>	
06/14/94	06/15/94	06/20/94	06/20/94	