# NOTICE OF VIOLATION

Mercy Hospital
Toledo, Ohio

Docket No. 030-12134
License No. 34-00305-04

As a result of the inspection conducted on November 28, 1990, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, (1989) (Enforcement Policy) the following violations were identified:

1. (a) 10 CFR 35.632(b)(4) states that the full calibration measurements shall include a determination of the timer linearity.

   (b) 10 CFR 35.634(a)(1) states that the monthly spot checks shall include a determination of the timer linearity.

   Contrary to the above:

   (a) the full calibration performed on September 29, 1990, did not include a determination of the timer linearity.

   (b) the monthly spot checks performed on July, August, and October, 1990 did not include a determination of the timer linearity.

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

2. 10 CFR 35.634(d)(2) states that the monthly spot checks shall include checking the proper operation of the electrical or mechanical stops installed for the purpose of limiting the use of the primary beam of radiation.

   Contrary to the above, the monthly spot checks performed on July, August, and October, 1990 did not including checking the proper operation of the electrical or mechanical stops that limit the primary beam of radiation.

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

Pursuant to the provisions of 10 CFR 2.201, you are required to submit to this office within thirty days of the date of this Notice a written statement or explanation in reply, including for each violation: (1) the corrective steps that have been taken and the results achieved; (2) the corrective steps that will be taken to avoid further violations; and (3) the date when full compliance will be achieved. Consideration may be given to extending your response time for good cause shown.

JAN 4 1991

Dated

William H. Schultz

William H. Schultz, Chief
Nuclear Materials Safety
Section 1