

NOTICE OF VIOLATION

Oberlin College
Oberlin, Ohio

Docket No. 03C-18291
License No. 34-05669-04

As a result of the inspection conducted on February 14, 1991, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, (1991) (Enforcement Policy) the following violations were identified:

1. License Condition 11 limits the use of licensed material to specifically named individuals.

Contrary to the above, from approximately October 1990 to the date of this inspection, two individuals not authorized by this license condition used licensed material for research. Specifically, Drs. Pelleymounter and Thornton used up to approximately 250 microcuries of tritium and sulfur-35 respectively, for laboratory research experiments.

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

2. License Condition 16 requires that the licensee conduct its program in accordance with the statements, representations, and procedures contained in an application dated February 25, 1983 and letter dated April 13, 1983.

Appendix I, Item 2(d), of letter dated April 13, 1983 requires that the radiation protection officer perform routine inspections of all laboratories using or storing radioactive materials.

Contrary to the above, from at least October 1989 to the date of this inspection, the radiation protection officer failed to perform routine inspections of all laboratories using or storing radioactive material.

This is Severity Level IV violation (Supplement VI).

3. License Condition 8(h) limits the amount of chromium-51 that may be possessed at any one time to 5 millicuries.

Contrary to the above, the licensee possessed greater than 5 millicuries of chromium-51 on several occasions between November 1989 and January 1991. Specifically, the licensee routinely ordered and received 5 millicuries of chromium-51 and concurrently possessed up to approximately several hundred microcuries of chromium-51 as waste and residual/unused material.

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

4. License Condition 16 requires that the licensee conduct its program in accordance with the statements, representations, and procedures contained in an application dated February 25, 1983 and letter dated April 13, 1983.

Appendix III of letter dated April 13, 1983, entitled "Working Rules For The Radiobiology Laboratory" specifies that personnel using in excess of 10 microcuries of hard beta or gamma isotopes should wear monitoring film badges, which will be sent for processing every two weeks.

Contrary to the above, personnel handling in excess of 10 microcuries of hard beta and gamma emitting isotopes have not worn film badges since at least the last inspection in 1984. Specifically, at least two researchers used millicurie quantities of chromium-51 or phosphorus-32 on several occasions between July 1988 and January 1991, and failed to wear film badges or other personnel monitoring equipment.

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

5. 10 CFR 30.51(a) requires that each licensee keep records showing the receipt, transfer, and disposal of byproduct material.

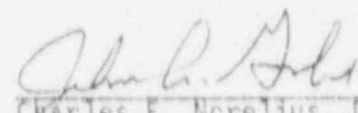
Contrary to the above, as of February 14, 1991, the licensee did not maintain records of byproduct material reportedly transferred to a licensed waste disposal vendor in 1988.

This is a Severity Level V 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.

MAR 15 1991

Dated _____


 Charles E. Norelius, Director
 Division of Radiation Safety
 and Safeguards

Appendix B

MANAGEMENT CONTROL

In order to provide you with some guidance in assessing the adequacy of your management control program, the NRC Region III office provides the following as the acceptance criteria for adequate management control for materials licensees. "Management Control" is a system instituted by management to assure that licensed activities are performed safely and in accordance with regulatory requirements (license conditions and applicable regulations).

This will include:

- a. Delineation of duties and responsibilities of all persons involved in licensed activities.
- b. Providing for indoctrination and training of all personnel performing licensed activities, specifically in those areas directly affecting compliance with NRC regulations and license conditions.
- c. Verification, as by checking, auditing and inspecting, that activities affecting safety related functions have been correctly performed. The verifying process should be performed by individuals or groups other than those performing the safety related procedures.
- d. Insuring continued compliance of licensed activities throughout periods during which routine activities may be interrupted, such as changes in equipment, personnel or facilities.

Because of the many variables involved, such as the number of personnel, type of activity being performed and the location or locations where activities are performed, the organizational structure for executing the management control program may take various forms; however, irrespective of the organizational structure, the individual or group responsible for this control should have the flexibility and authority to institute changes or corrections as required to maintain compliance with NRC regulations and license conditions.