

NOTICE OF VIOLATION

Holy Cross Parkview Hospital  
Plymouth, Indiana

License No. 13-18880-01  
Docket No. 030-17303

As a result of the inspection conducted on April 10, 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. 10 CFR 71.5(a) requires, in part, that the licensee comply with applicable requirements of the Department of Transportation in 49 CFR Parts 170-189.

49 CFR 173.427 requires that packaging which previously contained radioactive materials that has been emptied of contents as far as practical, is excepted from the shipping paper and certification, marking and labeling requirements of this subchapter, provided that the internal contamination does not exceed 100 times the limits in 49 CFR 173.443 and that the package complies with the requirements of 49 CFR 173.421.

Contrary to the above, packages which previously contained radioactive materials have been shipped on multiple occasions as empty packaging, without demonstrating compliance with the above requirements. Specifically, since at least September 1990, molybdenum generators have been shipped twice each month back to the manufacturer, and no evaluation was made to determine that package radiation levels comply with limits specified in 49 CFR 173.421(b). In addition, no evaluation was made to determine if the level of radioactive contamination that may be present on the internal or external surface of the package exceeded the limits specified in 49 CFR 173.427(c) or 173.421(c).

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

2. 10 CFR 35.70(f) requires that a licensee conduct weekly surveys for removable contamination required by 10 CFR 35.70(e) so as to be able to detect contamination on each wipe sample of 2,000 disintegrations per minute.

Contrary to the above, as of April 10, 1991, weekly surveys for contamination were not conducted so as to be able to detect contamination on each wipe sample of 2,000 disintegrations per minute.

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

3. 10 CFR 35.92(b) requires that a licensee retain records of disposal of byproduct material held for decay-in-storage for three years, and that the records include the date of the disposal, the date the byproduct material was placed in storage, the radionuclides disposed, the survey instrument used, the background dose rate, the dose rate measured at the surface of each waste container, and the name of the individual who performed the disposal.

Contrary to the above, as of April 5, 1991, records of disposal of byproduct material did not include the survey instrument used to make radiation surveys.

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

4. 10 CFR Part 35 requires records of certain tests and calibrations be signed by the Radiation Safety Officer.

Contrary to the above, records required by 10 CFR 35.50 and 35.59 were not signed by the Radiation Safety Officer since the date of license renewal on May 22, 1990.

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

5. 10 CFR 35.70(d) requires that a licensee establish trigger levels for the daily and weekly surveys required by 10 CFR 35.70(a) and (b) and 10 CFR 35.70(g) requires that a licensee establish trigger levels for the weekly survey for removable contamination required by 10 CFR 35.70(e).

Contrary to the above, an individual performing the above required surveys stated that trigger levels were not specifically established for each survey as required.

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

6. 10 CFR 35.50(b)(4) requires each dose calibrator be tested for geometry dependence upon installation over the range of volumes and volume configurations for which it will be used. The licensee shall keep a record of this test for the duration of the use of the dose calibrator.

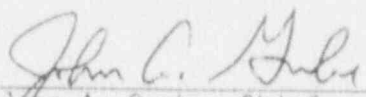
Contrary to the above, a record showing the results of the geometrical dependence test performed sometime in 1987 was not kept as required.

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.

MAY 03 1991

Dated \_\_\_\_\_

  
\_\_\_\_\_  
John A. Grobe, Chief  
Nuclear Materials Safety  
Branch