

JAN 07 1983

MEMORANDUM FOR: Jane A. Axelrad, Acting Director, Enforcement Staff, IE
FROM: Eric H. Johnson, Director, Enforcement Staff, RIV
SUBJECT: ENFORCEMENT ACTION FOR VETERANS ADMINISTRATION MEDICAL CENTER
SALT LAKE CITY, UTAH, LICENSE NO. 43-03299-01

The enclosed regional office letter and Notice of Violation for the subject licensee are forwarded for your information. Violations 2 and 3, which involve the security of licensed material from unauthorized removal and the improper disposal of licensed material, we believe are in the Severity IV category for the following reasons:

1. The licensed material in the refrigerator was small quantities of tritium and other byproduct material used in their diagnostic program. Although the material was accessible, the quantities involved would not present a significant health hazard.
2. The improper disposal consisted of 2 millicuries of tritium disposed of into the common trash. Land fill disposal would prevent any public access.

Eric H. Johnson, Director
Enforcement Staff

Enclosures: As Stated

RIV
CI: MRS. *[initials]*
NMShopenn/jkh
12/22/

SC: MRS. *[initials]*
RJEverett
12/22/

BC: TPA *[initials]*
GDBrown
12/22/

AD: V&TP *[initials]*
RLBangart
12/23/82
nh

D: ES *[initials]*
EHJohnson
1/4/83

RA: RIV
JTCollins
1/6/83

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NMS LIC30
43-03299-01 PDR

SHOPENN, N. M.

INSPECTOR'S REPORT
Office of Inspection and Enforcement

REVIEWER

INSPECTORS

LICENSEE/VENDOR	TRANSACTION TYPE	DOCKET NO. (8 digits) OR LICENSE NO. (BY PRODUCT) (13 digits)	REPORT NO.	SEQ.	MO.	YR.
Veterans Adm. Medical Center	<input checked="" type="checkbox"/> I - INSERT <input type="checkbox"/> M - MODIFY <input type="checkbox"/> D - DELETE <input type="checkbox"/> R - REPLACE	03003273	8201	C		

PERIOD OF INVESTIGATION/INSPECTION	INSPECTION PERFORMED BY	ORGANIZATION CODE OF REGION/HQ CONDUCTING ACTIVITY (See IEMC 0530 "Manpower Reporting—Weekly Manpower Reporting" for code)
FROM: MO. DAY YR. TO: MO. DAY YR.	<input checked="" type="checkbox"/> 1 - REGIONAL OFFICE STAFF <input type="checkbox"/> 2 - RESIDENT INSPECTOR <input type="checkbox"/> 3 - PERFORMANCE APPRAISAL TEAM OTHER	REGION DIVISION BRANCH
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REGIONAL ACTION (Check one box only)	TYPE OF ACTIVITY CONDUCTED (Check one box only)			
<input checked="" type="checkbox"/> 1 - NRC FORM 591 <input type="checkbox"/> 2 - REGIONAL OFFICE LETTER	<input type="checkbox"/> 02 - SAFETY <input type="checkbox"/> 03 - INCIDENT <input type="checkbox"/> 04 - ENFORCEMENT <input type="checkbox"/> 05 - MGMT. AUDIT	<input checked="" type="checkbox"/> 06 - MGMT. VISIT <input type="checkbox"/> 07 - SPECIAL <input type="checkbox"/> 08 - VENDOR <input type="checkbox"/> 09 - MAT. ACCT.	<input type="checkbox"/> 10 - PLANT SEC. <input type="checkbox"/> 11 - INVENT. VER. <input type="checkbox"/> 12 - SHIPMENT/EXPORT <input type="checkbox"/> 13 - IMPORT	<input type="checkbox"/> 14 - INQUIRY <input type="checkbox"/> 15 - INVESTIGATION

INSPECTION INVESTIGATION FINDINGS (Check one box only)	TOTAL NUMBER OF VIOLATIONS AND DEVIATIONS	ENFORCEMENT CONFERENCE HELD	REPORT CONTAIN 2790 INFORMATION	LETTER OR REPORT TRANSMITTAL DATE
<input checked="" type="checkbox"/> 1 - CLEAR <input type="checkbox"/> 2 - VIOLATION <input type="checkbox"/> 3 - DEVIATION <input type="checkbox"/> 4 - VIOLATION & DEVIATION	A B C D	A B C D	A B C D	NRC FORM 591 OR REG LETTER ISSUED MO. DAY YR. REPORT SENT TO HQ FOR ACTION MO. DAY YR.
	4	1 - YES	1 - YES	10 09 82

MODULE INFORMATION														MODULE INFORMATION															
REC. ORD.	MODULE NUMBER INSP.				PRIORITY	DIRECT INSPEC. EFFORT IN STAFF HOURS EXPENDED THIS INSPECTION	PERCENTAGE COMPLETED TO DATE	STATUS	MODULE REQ. FOLLOWUP				REC. ORD.	MODULE NUMBER INSP.				PRIORITY	DIRECT INSPEC. EFFORT IN STAFF HOURS EXPENDED THIS INSPECTION	PERCENTAGE COMPLETED TO DATE	STATUS	MODULE REQ. FOLLOWUP							
TYPE	NUMBER	PHASE	MANUAL CHAPTER	PROCEDURE NUMBER					LEVEL	PHASE	MANUAL CHAPTER	PROCEDURE NUMBER	LEVEL	TYPE	NUMBER	PHASE	MANUAL CHAPTER					PROCEDURE NUMBER	LEVEL	PHASE	MANUAL CHAPTER	PROCEDURE NUMBER	LEVEL		
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B	59270680				A		3					B					A												
B	5937008				A		0					B					A												

INSPECTOR'S REPORT
(Continuation)

Office of Inspection and Enforcement

DOCKET NO. (8 digits) OR LICENSE
NO. (BY PRODUCT) (13 digits)

REPORT

NO.

SEQ

MODULE NUMBER

03003273

E2010

592706B

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VIOLATION SEVERITY OR DEVIATION

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VIOLATION OR DEVIATION (Enter up to 2400 characters for each item. If the text exceeds this number, it will be necessary to paraphrase. Limit lines to 50 characters each.)

10 CFR 20.201(b), "Surveys", requires that surveys be conducted as may be necessary to comply with the regulations contained in each section of Part 20. A "survey", as defined in Paragraph 20.201(a), means "an evaluation of the radiation hazards incident to production, use, release, disposal, or presence of radioactive materials or other sources of radiation under a specific set of conditions. When appropriate, such evaluation includes a physical survey of the location of materials and equipment, and measurements of levels of radiation or concentrations of radioactive materials present".

10 CFR 20.301 requires that no licensee dispose of licensed materials except by specified methods

Contrary to the above, on September 7, 1982, the licensee failed to make such surveys as were necessary to ensure compliance with 20.301. Specifically, the licensee failed to adequately physically survey the shipping carton and packaging material, that licensed material had arrived in, before disposing of the waste in normal trash. Consequently, the licensee placed licensed material (2 vials of tritiated material) in the normal trash in the unrestricted area outside of Building 1, which resulted in the disposal method not specified by 10 CFR 20.301.

NRC FORM 756-A 11-81 NRC USE		DOCKET NO. 88-0012 NO. BY PRODUCT - 756-A		REPORT NO. SEC. 592706B 4		MODULE NUMBER	
INSPECTOR'S REPORT (Continuation) Office of Inspection and Enforcement		03003273		8201		VIOLATION SEVERITY OR DEVIATION	
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INSPECTOR'S REPORT
(Continuation)
Office of Inspection and Enforcement

DOCKET NO. (8 DIGIT OR LICENSE)
NO. (BY PRODUCT) (13 DIGIT)

03003273

REPORT NO. 8201

MODULE NUMBER

592706B

4

VIOLATION SEVERITY OR DEVIATION

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SITE RELATED

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VIOLATION: (If the text exceeds this number, it will be necessary to paraphrase. Limit lines to 50 characters each.)

10 CFR 20.207, "Storage of licensed material", requires that licensed materials, stored in an unrestricted area, be secured against unauthorized removal from the place of storage. As defined in 10 CFR 20.3(a)(17), "Definitions", an unrestricted area means any area access to which is not controlled by the licensee for purposes of protection of individuals from exposure to radiation and radioactive materials, and any area used for residential quarters.

Contrary to this requirement, on October 25, 1982, licensed material was stored in an unlocked refrigerator/freezer located in an unlocked corridor next to a laboratory, which was accessible to visitors, employees and ambulatory patients.

NRC FORM 756-A <small>(11-85) (2 M, 55m)</small> INSPECTOR'S REPORT (Continuation) Office of Inspection and Enforcement		DOCKET NO. (8 digits) OR LICENSE NO. (BY PRODUCT) (13 digits) <div style="border: 1px solid black; padding: 2px;">03003273</div>		REPORT NO. SEQ. <div style="border: 1px solid black; padding: 2px;">9201</div>		MODULE NUMBER <div style="border: 1px solid black; padding: 2px;">592706B</div>		<div style="border: 1px solid black; padding: 2px; text-align: center;">4</div>																	
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VIOLATION OR DEVIATION (Enter up to 2400 characters for each item. If the text exceeds this number, it will be necessary to paraphrase. Limit lines in each item to 24 lines.)

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10 CFR 20.203(e)(1), "Caution signs, labels, signals and controls", requires that rooms or areas in which byproduct material is used or stored in an amount exceeding ten times the quantity of such material specified in Appendix C to 10 CFR 20 be conspicuously posted with a sign or signs bearing the radiation caution symbol and the words: "Caution - Radioactive Material".

Contrary to this requirement, licensed material stored in the freezer compartment of the refrigerator/freezer located in the corridor outside the laboratory on the 5th floor of Building 1, had not been posted.