

NOTICE OF VIOLATION

University of Minnesota
Minneapolis, Minnesota

License No. 22-00187-46
Docket No. 030-00842
License No. 22-00187-54
Docket No. C30-13175

During an NRC inspection conducted on November 13-17, 1995, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (60 FR 34381, dated June 30, 1995), the violations are listed below:

License No. 22-00187-46

1. Condition 28 of License No. 22-00187-46 requires that licensed material be possessed and used in accordance with statements, representations, and procedures contained in an application dated February 20, 1992; letters dated March 3, 1992, May 27, 1992, and June 23, 1992 and a letter received August 7, 1992.

- A. Item 12 of the letter dated May 27, 1992, requires, in part, that thyroid scans be performed on all labelers using volatile radioiodine within ten working days of the labeling procedure.

Contrary to the above, on numerous occasions since January 1995, an individual performed labeling procedures using volatile radioiodine and thyroid scans were not performed within ten working days.

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

This is a repeat violation.

- B. Item 16 of the letter dated May 27, 1992, requires, in part, that the licensee equip portable survey meters belonging to individual users with a check source. Users are to compare the instrument response to the check source to the reference reading before using the instrument.

Contrary to the above, at least one user in laboratory V69 VFW, Health Sciences Building, indicated that he did not routinely compare the instrument response to the check source to the reference reading before using the instrument.

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

This is a repeat violation.

2. 10 CFR 20.1801 requires that the licensee secure from unauthorized removal or access licensed materials that are stored in unrestricted areas. 10 CFR 20.1802 requires that the licensee control and maintain constant surveillance of licensed material that is in an unrestricted area and that is not in storage. As defined in 10 CFR 20.1003, unrestricted area means an area, access to which is neither limited nor controlled by the licensee.

Contrary to the above, on November 15, 1995, the licensee did not secure from unauthorized removal or limit access to approximately 50 microcuries of phosphorous-32 located in Room 422 of the Veterinary Medicine Building, an unrestricted area, nor did the licensee control and maintain constant surveillance of this licensed material.

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

This is a repeat violation.

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10 CFR 36. 51(d) requires, in part, that the licensee shall conduct safety reviews for irradiator operators at least annually. The licensee shall give each operator a brief written test on the information.

Contrary to the above, since at least January 1993, the licensee failed to conduct a written test on the information provided during annual operator safety reviews.

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

Pursuant to the provisions of 10 CFR 2.201, The University of Minnesota 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 III, 801 Warrenville Road, Lisle, Illinois 60532-4351 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. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to 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.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

Dated at Lisle, Illinois
this 14th day of December 1995