

APPENDIX A

NOTICE OF VIOLATION

Massachusetts Institute of Technology
Cambridge, Massachusetts

Docket No. 50-20
License No. R-37

As a result of the inspection conducted on February 13-15, 1985, and in accordance with the revised NRC Enforcement Policy (10 CFR 2, Appendix C), published in the Federal Register on March 8, 1984 (49 FR 8583), the following violation was identified:

10 CFR 71.5 requires each licensee, who transports licensed material outside of the confines of its plant, to comply with the applicable requirements of the regulations appropriate to the modes of transport of DOT in 49 CFR Parts 170 through 189. 49 CFR 172.203(d) requires that the description for a shipment of radioactive material must include: (i) the name of each radionuclide; (ii) a description of the physical and chemical form of the material; and (iii) the activity contained in each package in terms of curies, millicuries, or microcuries.

Contrary to the above, on September 13, 1984, a package containing 281 millicuries of rhenium-186 and 824 millicuries of rhenium-188 as rhenium wire was labeled and shipped with the incorrect description of radionuclide, physical and chemical form, and activity for the package. This material was shipped to Massachusetts General Hospital, identified as 8 millicuries of chlorine-38 in the chemical form of calcium chloride salt.

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

Pursuant to the provisions of 10 CFR 2.201, Massachusetts Institute of Technology is hereby required to submit to this office within thirty days of the date of the letter which transmitted this Notice, a written statement or explanation in reply, including: (1) the corrective steps which have been taken and the results achieved; (2) corrective steps which will be taken to avoid further violations; and (3) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending this response time.

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