

30 JUN 1988

Docket No. 030-28902

License No. 20-00320-21

E. I. du Pont de Nemours and Co. (Inc.)
Medical Product Department
ATTN: Mr. Roger C. Heiser
Operations Manager, Boston Area
549 Albany Street
Boston, Massachusetts 02118

Gentlemen:

Subject: Special Inspection No. 88-001

On May 5, 1988, Laurence F. Friedman, Ph.D., C.H.P., and Selvan Rajendran of this office conducted a special safety inspection at the above address of activities authorized by the above listed NRC license. The inspection was limited to a review of the circumstances surrounding an incident which occurred on May 2, 1988. The findings of the inspection were discussed with yourself and others of your staff at the conclusion of the inspection. A copy of the NRC inspection report is enclosed.

Based on the results of this inspection, it appears that your activities were not conducted in full compliance with NRC requirements. A Notice of Violation is enclosed as Appendix A and categorizes each violation by severity level in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (Enforcement Policy). You are required to respond to this letter and in preparing your response, you should follow the instructions in Appendix A.

The item described in the attached Notice of Violation involving the internal exposure of an employee to licensed material is classified as a Severity Level IV violation. As indicated in Supplement IV of the NRC Enforcement Policy, significant violations of this type are normally classified as Severity Level III. However, after careful consideration of the factors involved in this specific instance, we have concluded that you have taken prompt and effective action to identify the cause of the incident, assess its implications, mitigate the effects of the incident, and prevent a recurrence. As a result, the radiation dose received by the exposed individual was less than that which was expected when the regulation was formulated. Therefore, we have concluded that this occurrence posed a limited health and safety problem. We have exercised our judgment under the NRC Enforcement Policy and have classified this violation as Severity Level IV. Similar violations of this type in the future may result in additional enforcement action.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and your reply will be placed in the Public Document Room.

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E. I. du Pont de Nemours and Co. (Inc.) 2

The responses directed by this letter and the accompanying Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

Your cooperation with us is appreciated.

Sincerely,

Original Signed By:
James H. Joyner

Glen L. Sjoblom, Acting Director
Division of Radiation Safety
and Safeguards

cc:
Public Document Room (PDR)
Nuclear Safety Information Center (NSIC)
Commonwealth of Massachusetts
Dennis Dumas, Radiation Safety Officer

bcc:
Region I Docket Room (w/concurrences)
Management Assistant, DRMA
D. Holody, RI
J. Joyner, RI
R. Cunningham, NMSS
J. Lieberman, OE
E. Flack, OE

RI:DRSS
Friedman/bc
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RI:DRSS
Joyner
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Approach used in this
package was discussed
with Lieberman by phone
on 5/26/88. He approved.
JHJ

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06/16/88