

NOTICE OF VIOLATION

Medi-Physics, Inc.
Cincinnati, Ohio

License No. 34-26239-01MD
Docket No. 030-31889

During an NRC inspection conducted on January 14, 1998, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG 1600, the violations are listed below:

1. License Condition No. 19 requires that licensed material be used in accordance with the statements, representations and procedures contained in the listed documents including any enclosures. One of the specifically listed documents is a license application dated September 11, 1988.

The license application dated September 11, 1988 states on pages 15 & 17 that the established threshold for direct radiation levels in restricted and unrestricted areas will be 0.25 mR/hour (investigational level) and 2.0 mR/hour (Action level).

Contrary to the above requirement, in 1996 the licensee changed the established threshold limits to 5.0 mR/hour (restricted areas) and 2.0 mR/hour (unrestricted areas) and failed to amend its license to reflect this change in threshold action limits.

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

2. License Condition No. 19 requires that licensed material be used in accordance with the statements, representations and procedures contained in the listed documents including any enclosures. One of the specifically listed documents is a license application dated September 11, 1988.

The license application dated September 11, 1988, states on page 41 that every individual who prepares or helps prepare a dosage of iodine-131 greater than 30 millicuries {1.1 GBq} will be measured for thyroid burden within 72 hours.

Contrary to this requirement, the licensee routinely prepares dosages of iodine-131 greater than 30 millicuries {1.1 GBq} and failed to perform a measurement for thyroid burden within 72 hours. Specifically, the licensee performs routine measurements for thyroid burden every three months rather than within the 72 hour time period specified in the license application.

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

Pursuant to the provisions of 10 CFR 2.201, Medi-Physics, Inc. 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, 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 safeguarded 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 Lisie, Illinois
this 29 day of January 1998