

NOTICE OF VIOLATION

I. González Martínez Oncologic Hospital  
Rio Piedras, Puerto Rico

Docket No. 030-03532  
License No. 52-13471-01

During an NRC inspection conducted on December 10, 1997, 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:

- A. 10 CFR 35.59(h) requires, in part, that a licensee in possession of a sealed source or brachytherapy source measure the ambient dose rates quarterly in all areas where such sources are stored.

Contrary to the above, from January 1993, until December 10, 1997, a period in excess of a calendar quarter, the licensee did not measure the ambient dose rates in the "Staff Room," an area where brachytherapy sources were stored.

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

- B. 10 CFR 35.13(e) requires, in part, that a licensee apply for and must receive a license amendment before it adds to or changes the areas of use identified in the application or on the license.

Contrary to the above, as of January 1993, the licensee failed to apply for and receive a license amendment before it changed the area where byproduct material (brachytherapy sources) is stored. Specifically, the licensee changed a "Staff Room" by storing old brachytherapy sources, and, as of December 10, 1997, the licensee had not applied for a license amendment requesting the change.

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

- C. 10 CFR 19.13(b) requires that licensees advise each worker annually of the worker's dose as shown in records maintained by the licensee pursuant to the provisions of 10 CFR 20.2106, *Records of individuals monitoring results.*

Contrary to the above, as of December 10, 1997, the licensee failed to advise each worker annually of the worker's dose as shown in records maintained by the licensee pursuant to the provisions of 10 CFR 20.2106.

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

Pursuant to the provisions of 10 CFR 2.201, I. González Martínez Oncologic Hospital 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 II, within 30 days of the date of the letter transmitting this Notice of Violation

Enclosure

(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, Jr. if contested, the basis for disputing the violation or severity level, (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.

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

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. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Dated at Atlanta, Georgia  
this \_\_\_\_ day of January 1998