

NOTICE OF VIOLATION

University of Cincinnati

License No. 34-06903-05

As a result of the inspection conducted on November 17-21, 1986, and in accordance with 10 CFR Part 2, Appendix C - General Statement of Policy and Procedure for NRC Enforcement Actions (1986), the following violations were identified:

1. 10 CFR 20.207(b) requires that licensed material in an unrestricted area and not in storage be tended under the constant surveillance and immediate control of the licensee.

Contrary to the above, on November 21, 1986, licensed material in an unrestricted area and not in storage was not tended under the constant surveillance and immediate control of the licensee. Specifically, a package containing approximately 100 millicuries of technetium-99m in a technetium-99m generator was left in the hallway outside the radiation safety office by a licensee representative.

This is a Severity Level IV violation (Supplement IV)

2. License Condition No. 20 requires that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in certain referenced applications and letters.

The referenced letter dated August 9, 1984 states that survey meters will be repaired before use if readings cannot be adjusted to within  $\pm 20\%$  of actual values during annual calibration and survey meters with readings between  $\pm 10\%$  and  $\pm 20\%$  of actual values during annual calibration will be used with correction factors.

Contrary to the above, in 1986, survey meters with readings greater than  $\pm 20\%$  of actual values during annual calibration were not repaired before use and correction factors were not determined for survey meters with readings between  $\pm 10\%$  and  $\pm 20\%$  of actual values.

For example, the calibration records of the following survey meters indicated that correction factors were not determined and meters were not repaired: Johnson and Associates Model GSM-5, serial number 2627, calibrated on June 26, 1986; Johnson and Associates Model GSM-5, serial number 2789, calibrated on June 30, 1986; Eberline E-120, calibrated on July 7, 1986 and sent ATTENTION: Craig Williams in J-basement; and Eberline E-120, serial number 1261, calibrated on October 31, 1986.

This is a Severity Level IV violation (Supplement VI)

3. License Condition No. 20 requires that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in certain referenced applications and letters.

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The referenced letter dated April 11, 1986 states that general purpose laboratories will be surveyed with a wipe test at least monthly when less than millicurie amounts of unsealed radionuclides are used.

Contrary to the above, in August and October 1986, several general purpose laboratories were not surveyed with a wipe test at least monthly. Specifically, in October 1986, microcurie amounts of sulfur-35 were used in Medical Sciences Building Room 6359 and wipe tests were not performed. In August and October 1986, microcurie amounts of chlorine-36 were used in Medical Science Building Room 3254 and wipe tests were not performed.

This is a Severity Level IV violation (Supplement VI)

4. 10 CFR 35.43 requires that the licensee notify in writing the appropriate Nuclear Regulatory Commission Regional Office when a misadministration involves a diagnostic procedure. Licensee reports are due within 10 days after the end of the calendar quarters.

Contrary to the above, as of November 19, 1986, the licensee had not notified in writing the appropriate Nuclear Regulatory Commission Region Office of seven misadministrations involving diagnostic procedures that occurred on January 8, 1986. The notification was due within 10 days after the end of March 1986.

This is a Severity Level IV violation (Supplement VI)

5. 10 CFR 20.203(f) (1) and (2) requires that each container of licensed material bear a durable, clearly visible label identifying the radioactive contents. The label shall bear the radiation caution symbol and the words "CAUTION, RADIOACTIVE MATERIAL" or "DANGER, RADIOACTIVE MATERIAL."


Contrary to the above, as of November 20, 1986, a container of licensed material did not bear the required label. Specifically, a 55-gallon drum in the room adjacent to the pathological incinerator contained licensed material but did not bear the required label.

This is a Severity Level V violation (Supplement IV)

Pursuant to the provisions of 10 CFR 2.201, you are required to submit to this office within thirty days of the date of this Notice a written statement or explanation in reply, including for each violation: (1) corrective action taken and the results achieved; (2) corrective action to be taken to avoid further violations; and (3) the date when full compliance will be achieved. Consideration may be given to extending your response time for good cause shown.

DEC 2 - 1986

Dated

  
D. G. Wiedeman, Chief  
Nuclear Materials Safety  
Section 1