ENCLOSURE

NOTICE OF VIOLATION

Portsmouth General Hospital
Portsmouth, VA

Docket No. 030-03332
License No. 45-09102-02

During the Nuclear Regulatory Commission (NRC) inspection conducted on September 3, 1987, violations of NRC requirements were identified. Also, subsequent to the inspection, information submitted to our office in a letter dated September 15, 1987, from J. B. Frith, Administrator, was evaluated. The violations involve failure of the Medical Isotopes Committee to meet on a calendar quarter basis; failure to maintain written records of Medical Isotope Committee meetings; failure to identify the person performing daily surveys on the survey record; failure to determine the geometrical variation of the dose calibrator; failure to determine the linearity of the dose calibrator on a quarterly basis; failure to perform a weekly wipe test of the Nuclear Medicine Department; failure to maintain records of negative survey results and the survey instrument used on a weekly basis; failure to record daily and weekly surveys in appropriate units; failure to record the model and serial numbers of the dose calibrator on various dose calibrator tests; failure to conduct radiation measurements upon receipt of packages containing radioactive material; failure to monitor packing material of radioactive material shipments prior to discarding; and failure to record the instrument and initials of individual who performed the weekly surveys. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1986), the violations are listed below:

A. License Condition 17 requires the licensee to possess and use licensed material described in Items 6, 7, and 8 of this license in accordance with statements, representations, and procedures contained in application dated May 30, 1984, and ALARA program submitted with application dated May 30, 1984.

1. Item 7 of the license application dated May 30, 1984, requires the Medical Isotopes Committee to meet not less than once in each calendar quarter.

   Contrary to the above, the Medical Isotopes Committee did not meet during the second calendar quarter of 1985 (between April 1 and June 30, 1985).

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

2. Item 7 of the license application dated May 30, 1984, requires the licensee to maintain written records of all Medical Isotope Committee meetings.

Contrary to the above, the licensee did not maintain written records of a Medical Isotope Committee meeting conducted in the third quarter of 1986.

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

3. Item 10 of the license application dated May 30, 1984, requires the licensee to test for geometrical variation in accordance with Appendix D, Section 2, Item F., of the NRC Medical Licensing Guide, unless certified data is supplied by the dose calibrator manufacturer. Appendix D, Section 2, Item F., of the NRC Medical Licensing Guide requires the licensee to test for geometrical variation at installation, or after repair or adjustment of the dose calibrator.

   Contrary to the above, the licensee did not determine the geometrical variation of the Rad Cal Dose Calibrator Model 4050 at installation, or after repair or adjustment.

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

4. Item 17 of the license application dated May 30, 1984, requires the licensee to determine the linearity of the dose calibrator on a quarterly basis.

   Contrary to the above, the licensee did not determine the linearity of the Rad Cal Dose Calibrator Model 4050 between April 30, 1986 and October 17, 1986, an interval in excess of a quarter.

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

5. Item 17 of the licensee application dated March 28, 1978, requires the licensee to perform a weekly survey of the laboratory area where radioactive material is used or stored. The weekly survey will consist of a measurement of radiation levels with a survey meter and a series of wipe tests.

   Contrary to the above, the licensee did not perform weekly wipe tests of the Nuclear Medicine Department between February 10, 1984 and February 24, 1984.

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

6. Item 17 of the licensee application dated May 30, 1984, requires the licensee to maintain permanent records of all weekly surveys, including negative results. The record will include the type of instrument used.

Contrary to the above, the licensee did not record on the licensee's "Wipe Test Survey" form the negative results of weekly surveys performed on June 26, July 3, July 17, July 31, and August 17, 1987, of the Nuclear Medicine Department. Also the licensee did not record the type of instrument used to perform the weekly surveys of the Nuclear Medicine Department between January 6, 1984 and December 12, 1986, and on June 26, 1987.

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

7. Item 17 of the license application dated May 30, 1984, requires the licensee to record the identification of the person performing the daily surveys.

   Contrary to the above, the licensee did not record the person performing the daily surveys of the Nuclear Medicine Department between January 2, 1987 and August 31, 1987.

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

8. Item 17 of the license application dated May 30, 1984, requires the licensee to perform daily and weekly surveys of each area where radioactive materials are used or stored. The daily surveys are performed by using a low range G-M survey meter. The weekly surveys are performed by using a survey meter and taking a series of wipe tests.

   10 CFR 35.70(h) requires the licensee to retain a record of each survey for two years. The record must include the detected dose rate at several points in each area expressed in millirem per hour or the removable contamination in each area expressed in disintegrations per minute per 100 square centimeters.

   Contrary to the above, the licensee did not record the results of daily and weekly surveys (Daily Department Survey Form: Areas 1-10) in units of millirem per hour performed between January 2, 1987 and August 31, 1987 in the Nuclear Medicine Department. Nor did the licensee record the results of weekly surveys (Wipe Test Survey Form) in units of disintegrations per minute per 100 square centimeters performed on June 26, July 3, and July 17, 1987.

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

9. Item 14 of the license application dated May 30, 1984 requires the licensee to measure the exposure rate at three feet from the package surface and at the package surface before opening packages containing radioactive material.

Contrary to the above, the licensee did not measure exposure rates at three feet and at the surface of nine (9) packages containing radioactive material received by the main laboratory between September 19, 1985 and July 23, 1986.

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

10. Item 14 of the license application dated May 30, 1984, requires the licensee to monitor the packing material and packages of radioactive material shipments for contamination before discarding.

Contrary to the above, the licensee did not monitor the packing materials and packages of eighteen (18) radioactive material shipments, received by the main laboratory, before discarding in normal trash disposals between July 27, 1985 and July 28, 1987.

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

B. 10 CFR 35.50(e) requires the licensee to retain a record of each dose calibrator check and test required by this section for two years unless directed otherwise. The records required in paragraph (b)(1) of this section must include the model and serial number of the dose calibrator.

Contrary to the above, the licensee did not record the model and serial number of the dose calibrator (Rad Cal Model 4050) when performing daily constancy checks between April 1 and September 2, 1987.

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

C. 10 CFR 35.70(a) requires the licensee to survey, with a radiation detection survey instrument at the end of each day of use, all areas where radiopharmaceuticals are routinely prepared for use or administration.

10 CFR 37.70(h) requires the licensee to record the instrument used to make the survey and the initials of the individual who performed the survey.

Contrary to the above, the licensee did not record the instrument used to make the weekly survey nor did the licensee record the initials of the individual who performed the surveys in the main laboratory between May 17 and May 29, 1987, and between June 4 and June 29, 1987.

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

Pursuant to 10 CFR 2.201, Portsmouth General Hospital is hereby required to submit to this Office within 30 days of the date of this letter transmitting this Notice a written statement or explanation in reply, including: (1) admission or denial of the alleged violations; (2) the reasons for the violations if admitted; (3) the corrective steps which have been taken and the results achieved; (4) corrective steps which will be taken to avoid further violations; and (5) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending the response time.

FOR THE NUCLEAR REGULATORY COMMISSION

/s/ Philip Stohr

J. Philip Stohr, Director
Division of Radiation Safety
and Safeguards

Dated at Atlanta, Georgia
this 15th day of October 1987