

APPENDIX A

Notice of Violation

State of Hawaii  
Department of Health  
Medical Health Services Division  
1250 Punchbowl Street  
Honolulu, Hawaii

Docket No. 030-10331  
EA No: 89-53

During an NRC inspection conducted on February 13, 1989, certain violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedures for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1988), the violations are listed below:

- A. License Condition No. 12, provides that licensed material shall be used by, or under the supervision of, Wayne T. Iwaoka, Veronica Inouye, or Charles Kishimoto.

Contrary to the above requirement, at the time of the inspection, the users of the gas chromatographs were neither listed on the license, nor working under the supervision of licensed users.

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

- B. License Condition No. 15 provides, in part, that each chromatograph detector containing nickel-63 shall be tested for leakage and/or contamination at intervals not to exceed three years.

Contrary to the above requirement, at the time of the inspection, six detector cell sources had been tested on January 11, 1985 and not tested again until September 21, 1988, a period in excess of three years and eight months. Also, one detector cell source had been tested on March 3, 1985 and not tested again until September 21, 1988, a period in excess of three years and six months.

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

- C. License Condition No. 14 provides, in part, that the licensee is authorized to label detector cells, and cell baths, containing licensed material as used in gas chromatography devices, with conspicuously etched or stamped radiation caution symbols without a color requirement.

Contrary to the above requirement, at the time of the inspection, a detector cell, which was found in a desk drawer, was not conspicuously labeled or stamped with the radiation caution symbol.

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

- D. 10 CFR 20.203(e) provides, in part, that each area where licensed materials are stored shall be conspicuously posted with a sign or signs bearing the radiation caution symbol and the words: Caution Radioactive Materials.

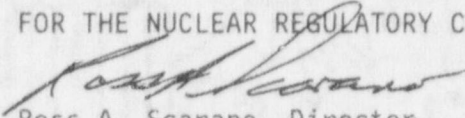
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Contrary to the above requirement, at the time of the inspection, a desk drawer, which contained three detector cell sources, was not conspicuously posted with a sign to indicate the presence of licensed radioactive material.

This is a Severity Level V Violation (Supplement IV).

Pursuant to the provisions of 10 CFR 2.201, the State of Hawaii, Medical Health Services Division, 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 V, within 30 days of the date of the letter transmitting this 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 if admitted, (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. If an adequate reply is not received within the time specified in this Notice, an order may be issued to show cause why the license should not be modified, suspended, or revoked or why such other action as may be proper should not be taken. Consideration may be given to extending the response time for good cause shown.

FOR THE NUCLEAR REGULATORY COMMISSION

  
Ross A. Scarano, Director  
Division of Radiation Safety and  
Safeguards

Dated at Walnut Creek, California  
this 6<sup>th</sup> day of April, 1989