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Docket No. 030-29462
License No. 45-23645-01NA
Permit No. 41-60002-11NP

Department of the Navy
ATTN: RADM J.S. Walker, USN
Chairman
Navy Radiation Safety Committee
Chief of Naval Operations (N-45)
Washington, D.C. 20350-2000

Gentlemen:

SUBJECT: NOTICE OF VIOLATION
(NRC INSPECTION REPORT NO. 45-23645-01NA/92-06)

This refers to the inspection conducted by Mr. John Pelchat of this office on December 9, 1992. The inspection included a review of activities authorized for the Naval Hospital Millington, Millington, Tennessee which operates under U.S. Navy Permit No. 41-60002-11NP. At the conclusion of the inspection, the findings were discussed with CAPT J.F. Means, Commanding Officer. The results of the inspection were also discussed with CAPT J.W. Malinoski, Executive Secretary, Navy Radiation Safety Committee, on December 10, 1992.

The inspection was an examination of licensed activities with respect to radiation safety and compliance with NRC regulations and the conditions of your license. It included selective examinations of procedures and representative records, interviews with personnel, and direct observations by the inspector.

Based on the results of this inspection, certain of your activities appeared to be in violation of NRC requirements, as specified in the enclosed Notice of Violation (Notice). Violation B in the enclosed Notice involved the failure to determine the apparent output from a dedicated check source at the time of calibration of the IM-238/PDR-27S radiation survey instrument. Please note that the same violation was also recently observed during an NRC inspection at the Great Lakes Naval Hospital (NRC Inspection Report No. 45-23645-01NA/92-05). An apparent contributing factor to these violations is the lack of procedures at naval survey instrument calibration facilities for performing such measurements on instruments intended for use at medical facilities. During the December 10, 1992 conversation, CAPT Malinoski stated that the Navy would likely request an exemption from the requirements of 10 CFR 35.51(a)(3).

In addition, the inspector identified activities that violated NRC requirements that will not be subject to enforcement action because the licensee's efforts in identifying and/or correcting the violations meet the criteria specified in Section VII.B of the Enforcement Policy. The non-cited violations include the failure to maintain complete Radiation Safety Committee

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meeting minutes and the failure to maintain sealed source leak test results in units of microcuries. These items were discussed during telephone conversations between Mr. Pelchat and CAPT Means and CAPT Malinoski on December 17, 1992.

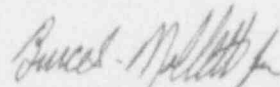
You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosures, and any reply will be placed in the NRC Public Document Room.

The responses directed by this letter and the enclosed Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, Pub. L. No. 96-511.

Should you have any questions concerning this letter, please contact us.

Sincerely,



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

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Notice of Violation

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