



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION V

1450 MARIA LANE
WALNUT CREEK, CALIFORNIA 94596-5368

DEC 30 1992

EA No. 92-242
License No. 53-00458-04
Docket No. 30-03537

Department of the Army
Tripler Army Medical Center
Tripler AMC, Hawaii 96859-5000

Attention: Brigadier General Girard Seitter III
Commanding Officer

SUBJECT: NOTICE OF VIOLATION
(NRC Inspection Report No. 92-01)

This refers to the inspection conducted by Mr. Kent M. Prendergast of this office on November 4 and 5, 1992. This inspection included a review of activities that are authorized by the NRC at Tripler Army Medical Center. At the conclusion of the inspection, the initial inspection findings were discussed with the individuals identified in the enclosed report. Subsequent discussions relative to the inspection were also held with members of your staff and individuals previously involved in your radiation safety program on November 18, 25, and December 3, 1992.

Areas examined during this inspection are described in the enclosed report. Within those areas, the inspection consisted of selective examination of procedures and representative records, interviews with personnel and observations of activities in progress.

Based on the results of this inspection, one apparent violation was identified. The violation involved a failure to perform an adequate inventory of iridium 192 brachytherapy sources during the period between August 1989 and June 1992. The failure to adequately inventory the sources resulted in 14 iridium 192 seeds being unaccounted for. The fourteen seeds had the potential, early in the period, to cause an unplanned exposure. For this reason, the violation is considered a significant regulatory concern and has been categorized as a Severity Level III violation.

In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy) 10 CFR Part 2, Appendix C, a civil penalty is considered for a Severity Level III violation. However, after consultation with the Director, Office of Enforcement, I have decided that full mitigation of the base civil penalty is appropriate and that, as discussed with Captain Mercier of your staff on December 3, 1992, an enforcement conference is unnecessary because of your staff's identification, prompt reporting, and corrective actions to preclude recurrence of the problem. It is also noted that the responsible individuals are no longer employed at your facility.

JE07

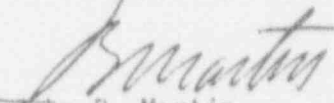
However, it must be stated that any loss of licensed material in the future may result in additional enforcement action, including a civil penalty or order to modify, suspend or revoke your license.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice of Violation (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 and its enclosure 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.

Sincerely,



John B. Martin
Regional Administrator

Enclosures:
Notice of Violation
Inspection Report 92-01

Distribution:

H. Thompson, Deputy Executive Director for Nuclear Materials
 Safety, Safeguards and Operations Support
 J. Sniezek, Deputy Executive Director for Regional Operations
 R. Bernero, Director, NMSS
 R. Cunningham, Director, Division of Industrial and Medical
 Nuclear Safety, NMSS
 J. Lieberman, Director, Office of Enforcement
 J. DelMedico, OE
 L. Chandler, Assistant General Counsel, OGC
 J. Glenn, Chief, Medical and Commercial Use Safety Branch, NMSS

bcc w/enclosures:

LPDR
 SECY
 Enforcement Coordinators
 RI, RII, RIII, RIV, RV
 Assistant to the Director of Public Affairs
 Inspector General, Office of the Inspector General
 Director, Office of Investigations
 Director, Office of Analysis and Evaluation of Operational Data
 OE:Chron
 OE:EA (2)
 DCS
 Docket File
 Inspection File
 D. Kunihiro
 G. Cook
 R. Huey
 B. Faulkenberry
 J. Martin
 State of Hawaii

bcc w/o enclosures:

M. Smith
 J. Zollicoffer

Region V/ *KMP*
 KPrendergast *GYuhas*
12/22/92 *12/22/92*
 RScarano *12/23/92*
 RHuey *12/23/92*
 JMartin *12/30/92*

REQUEST COPY	REQUEST COPY	REQUEST COPY	REQUEST COPY	REQUEST COPY
YES / NO	YES / NO	YES / NO	YES / NO	YES / NO

SEND TO PDR
YES / NO