

ENCLOSURE

NOTICE OF VIOLATION

Jose L. Jimenez, M.D.

License No. 52-21485-01

The following violations were identified during an inspection conducted on May 9, 1985. The Severity Levels were assigned in accordance with the NRC Enforcement Policy (10 CFR Part 2, Appendix C).

License Condition 16 requires that except as specifically provided otherwise by the license, the licensee shall 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 September 27, 1983, and attachments thereto. The Nuclear Regulatory Commission's regulations shall govern the licensee's statements in applications or letters, unless the statements are more restrictive than the regulations.

1. The attachments to the application show the storage area for licensed material to be in a keyed cabinet in the licensee's office.

Contrary to the above, as of May 9, 1985, licensed material is being stored on an open shelf in the licensee's office.

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

2. Condition 14 of the License No. 52-21485-01 requires that sealed sources containing byproduct material be tested for leakage and/or contamination at intervals not to exceed six months.

Contrary to the above, as of May 9, 1985, a sealed source containing 92 millicuries of Strontium 90 had not been tested for contamination or leakage since September 11, 1984, an interval of more than six months.

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

3. 10 CFR 20.105(b)(2) requires a licensee to ensure that its licensed material is not possessed, used or transferred in such a manner as to create, in any unrestricted area from radioactive material and other sources of radiation in its possession, radiation levels which, if an individual was continuously present in the area, could result in his receiving a dose in excess of 100 millirems in any seven consecutive days.

Contrary to the above, the licensee possessed licensed material in such a manner that resulted in a radiation level of up to 1.8 mrem/hr in the unrestricted office area such that if an individual had been continuously present in the area he or she would have received a dose in excess of 100 millirems in any seven consecutive days.

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

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4. 10 CFR 19.11(a) and (b) require that current copies of Part 19, Part 20, the license, license conditions, documents incorporated into the license, license amendments, and operating procedures be posted, or that a notice describing these documents and where they may be examined, be posted.

Contrary to the above, on May 9, 1985, neither the documents nor the notice were posted.

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

Pursuant to 10 CFR 2.201, you are required to submit to this office within 30 days of the date of 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.

Security or safeguards information should be submitted as an enclosure to facilitate withholding it from public disclosure as required by 10 CFR 2.790(d) or 10 CFR 73.21.

Date: MAY 31 1985