Appendix

NOTICE OF VIOLATION

Diagnostic Services, Inc. License No. 22-14883-02

As a result of the inspection conducted on July 2, 1985, and in accordance with the General Policy and Procedures for NRC Enforcement Actions, (10 CFR Part 2, Appendix C), the following violations were identified:

1. License Condition No. 10 requires that licensed material be prepared and assayed at the licensee's preparation station in Forest Lake, Minnesota.

   Contrary to the above, licensed material is routinely prepared at remote sites for unscheduled procedures and is not assayed prior to administration to patients.

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

2. License Condition No. 17 requires that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in certain referenced documents.

   The referenced July 27, 1983, application states that survey instruments will be calibrated at least annually and following repair.

   Contrary to the above, four survey instruments used in the radiation safety program have not been calibrated since June 1984, a period greater than one year.

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

   This is a repeat violation.

3. License Condition No. 17 requires that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in certain referenced documents.

   The referenced July 27, 1983 application states that Regulatory Guide 10.8, Appendix I, will be followed for the performance of area radiation surveys. Appendix I requires that preparation areas be surveyed daily.

   Contrary to the above, area radiation surveys are not performed as required. Specifically, area surveys of the hot lab preparation room were not performed between June 17 and June 21 and on June 28 and July 1, 1985. Licensed materials were prepared in the hot lab on each of these dates.

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

4. License Condition No. 17 requires that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in certain referenced documents.

   The referenced July 27, 1983 application states that Regulatory Guide 10.8, Appendix F, will be followed during the opening of packages containing licensed material. Appendix F requires that all packages be surveyed and wipe tested upon receipt.

   Contrary to the above, packages containing licensed materials were not surveyed or wipe tested upon receipt on July 1 and 2, 1985.

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

5. License Condition No. 17 requires that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in certain referenced documents.

   The referenced July 27, 1983 application states that Regulatory Guide 10.8, Appendix D will be followed for the calibration of dose calibrators. Appendix D requires that a daily constancy test and initial geometry test be performed on each dose calibrator, and that records of these calibrations be maintained.

   Contrary to the above, constancy tests were nor performed on the dose calibrator at the Forest Lake, Minnesota facility on June 28, July 1 and July 2, 1985, when the instrument was used to assay patient doses. In addition, records of geometry tests for the same dose calibrator were not maintained.

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

6. 10 CFR 35.14(e)(1)(i) requires each licensee who possesses sealed sources as calibration or reference sources shall perform tests for leakage and/or contamination at intervals not to exceed six months.

   Contrary to the above, leak tests were not performed on calibration sources every six months as required. Specifically, a 210 microcurie cesium-137 source was leak tested only once in 1983. The same source and a 217 microcurie cesium-137 source have not been tested for leakage since December 15, 1984, a period greater than six months.

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

Pursuant to the provisions of 10 CFR 2.201, you are required to submit to this office within thirty days of the date of this Notice a written statement or explanation in reply, including for each item of noncompliance: (1) corrective action taken and the results achieved; (2) corrective action to be taken to avoid further noncompliance; and (3) the date when full compliance will be achieved. Consideration may be given to extending your response time for good cause shown.

JUL 15 1985
Dated

D. G. Wiedeman, Chief
Nuclear Materials Safety
Section 1