

NOTICE OF VIOLATION

Department of Health &
Human Services
NIDA, Addiction Research Center
Baltimore, Maryland

Docket No. 030-31714
License No. 19-09760-02

During an NRC inspection conducted on December 2, and 3, 1996, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (Enforcement Policy), NUREG 1600, the violations are listed below:

- A. Condition 23 of License No. 19-09760-02 requires, in part, that the licensee conduct its program in accordance with the statements, representations and procedures contained in Application dated April 27, 1990.

Item 9 of the Application dated April 27, 1990, states, in part, that survey instruments used in laboratories that use photon emitters will be calibrated semiannually.

Contrary to the above, several laboratories in the main building located at 4940 Eastern Avenue, use photon emitting radioisotopes and the survey instruments used in some of these laboratories were not calibrated semiannually. Specifically, a Ludlum Model 2 survey meter used in Room 311 was not calibrated since January 15, 1996; a Ludlum Model 3 survey meter used in Room 330 was not calibrated since March 26, 1996; a Ludlum Model 3 survey meter used by the Radiation Safety Technologist to survey packages containing photon emitting isotopes, was not calibrated since April 24, 1996.

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

- B. 10 CFR 19.12 requires, in part, that all individuals working in a restricted area be instructed in the precautions and procedures to minimize exposure to radioactive materials, in the purpose and functions of protective devices employed, and in the applicable provisions of the Commission's regulations and licenses.

Contrary to the above, as of December 3, 1996, individuals who were working in licensee's restricted areas, had not been instructed in the applicable provisions of the regulations and the conditions of the license. Specifically, a radiation safety technologist who is responsible for receiving and opening the packages containing radioisotopes was not instructed in licensee's procedures for performing radiation surveys of these packages. These procedures are incorporated into License No. 19-09760-02.

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

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Pursuant to the provisions of 10 CFR 2.201, NIDA, Addiction Research Center of the Department of Health & Human Services, 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 I, within 30 days of the date of the letter transmitting this Notice of Violation (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, or, if contested, the basis for disputing the violation, (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. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.