

ENCLOSURE

NOTICE OF VIOLATION

Department of Health & Human Services
Phoenix, Arizona

Docket No.: 030-01211
License No.: 02-13990-01
EA 97-016

During an NRC review of a licensee event report dated November 20, 1996, two violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violations are listed below:

- A. 10 CFR 20.2001(a) requires that the licensee dispose of licensed material only by certain specified procedures.

Contrary to the above, on October 7 or 8, 1996, the licensee disposed of 750 microcuries of P-32 in the form of contaminated laboratory trash materials by release to the non-radioactive trash, a method not authorized by §20.2001.

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

- B. License Condition 16 requires, in part, that the licensee conduct its program in accordance with statements, representations, and procedures contained in the documents, including any enclosures, in the application and letter dated November 2, 1993. Item 8, "Personnel Training Program" of the attachment to the November 2, 1993, letter states, in part, that "General employee (employees not working with radioisotopes) training is provided to clarify the need to avoid areas labeled for radiation hazard."

Contrary to the above, on October 7, 1996, a new janitorial service began housekeeping duties and was permitted access to facilities associated with radioactive materials and no training had been provided to the janitorial staff on the need to avoid areas labeled for radiation hazard.

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

The NRC has concluded that information regarding the reasons for the violations and the corrective actions taken and planned to correct the violations and prevent recurrence is already adequately addressed on the docket in the licensee's letter dated November 20, 1996. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation" and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011, and the Walnut Creek Field Office, 1450 Maria Lane, Walnut Creek, California 94596.

Because your response, should you choose to provide one, 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. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information).

Dated at Arlington, Texas
this 23rd day of January 1997