Appendix

NOTICE OF VIOLATION

Medical Center Hospital License No. 34-11852-01

As a result of the inspection conducted between July 16-25, 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. 18 requires that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in certain referenced applications and letters.

   The referenced application dated July 18, 1978 states in Item 15 that Appendix G procedures of Regulatory Guide 10.8 will be followed for the safe use of radioactive material. Item 5.b. of Appendix G requires that food, drink, or personal effects not be stored with radioactive material.

   Contrary to the above, on July 16, 1985 our inspector found a paper bag of foodstuffs in the refrigerator in your hot lab. At the time, this refrigerator bore "Caution - Radioactive Materials" labels and contained a prepared kit of 99 mTc-MAA.

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

2. 10 CFR 34.14(e)(7)(i) requires sealed calibration sources to be tested for leakage and/or contamination at intervals not to exceed six months.

   Contrary to the above, leak tests of your sealed cesium-137 source were performed at intervals exceeding six months. Specifically, leak tests performed since June, 1983 were conducted in July, 1984 and April, 1985, which are intervals exceeding six months.

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

3. License Condition No. 18 requires that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in certain referenced applications and letters.

   The referenced application dated July 18, 1978 states in Item 10 that your consultant's procedures for calibration of survey instruments on file in NRC License No. 34-16779-01 will be used. License Condition No. 16 of License No. 34-16779-01 states that Appendix D procedures of Regulatory Guide 10.8 will be followed. Section 1 of Appendix D requires survey instruments to be calibrated within 10% of the true exposure rate of 20% with a chart, graph, or response factor prepared, attached to the instrument, and used to interpret meter readings to within 10%. Also, complete records of calibration must be maintained.

Contrary to the above, your survey instrument calibrations have not been performed as required. Specifically, there are no 1983 calibration records for your Victoreen 498, S/N 173 or your Victoreen 6B, S/N 19741. Also, the July 26, 1984 calibration of your Victoreen 498, S/N 173, showed that the meter was often reading in excess of 20% error from the true exposure rate, up to 30% maximum error.

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

4. License Condition No. 18 requires that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in certain referenced applications and letters.

The referenced application dated July 18, 1978 states in Item 10 that your consultant's procedures for calibration of your dose calibrator on file in NRC License No. 34-16779-01 will be used. License Condition No. 16 of License No. 34-16779-01 states that Appendix D procedures of Regulatory Guide 10.8 will be followed. Section 2 of Appendix D requires accuracy checks to be performed annually and to be within ± 5% error from the calculated activity. Quarterly linearity checks should be within ± 5% error from the calculated activity. If these tests exceed ± 5% error, repair or adjustment of the dose calibrator is indicated.

Contrary to the above, your dose calibrator accuracies and linearities have not been performed as required. Specifically, no accuracy check was performed in 1983 and 1985; accuracy was last tested in January, 1984. Your linearity check in March, 1985 showed that at 30 mCi of activity and less, the dose calibrator frequently exceeded ± 5% error from the calculated activity, up to 11.8% maximum error. Your May, 1985 linearity check showed that at 50 mCi of activity and less, the dose calibrator frequently exceeded ± 5% error, up to 27% maximum error. The dose calibrator had not been repaired or adjusted as of the date of inspection.

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.

8/12/85
Dated

D. J. Sreniawski, Chief
Nuclear Materials Safety
Section 2