

NOTICE OF VIOLATION

West Central Community Hospital
Clinton, Indiana

Docket No. 030-31104
License No. 13-26043-01

During an NRC inspection conducted on September 18, 1996 with continuing NRC review through October 2, 1996, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (60 FR 34381, dated June 30, 1995), the violation is listed below:

10 CFR 71.5(a) requires that a licensee who transports licensed material outside the confines of its plant or other place of use, or who delivers licensed material to a carrier for transport, comply with the applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation (DOT) in 49 CFR Parts 170 through 189.

49 CFR 173.475 requires, in part, that before each shipment of any radioactive materials package, the shipper must ensure by examination or appropriate test that the external radiation levels are within the allowable limits specified in 49 CFR Parts 171-177.

Contrary to the above, as of September 30, 1993, the licensee delivered to a carrier for transport packages of radioactive materials without ensuring by examination or appropriate test that external radiation levels were within allowable limits. Specifically, the licensee did not determine the external radiation levels on the bottom side of transport packages which contained technetium-99m generators prior to shipment.

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

Pursuant to the provisions of 10 CFR 2.201, West Central Community Hospital 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 III, 801 Warrenville Road, Lisle, Illinois 60532-4351 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.

Dated at Lisle, Illinois
this 16th day of October 1996