

Appendix

NOTICE OF VIOLATION

Mercy Hospital

License No. 21-02187-01

03002010

As a result of the inspection conducted on July 15 and 16, 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 16 requires that all licensed material be possessed and used in accordance with statements, representations and procedures contained in application dated April 27, 1983.

Application dated April 27, 1983, states that the procedures described in Section 2 of Appendix D of NRC Guide 10.8 shall be followed for calibration of the dose calibrator. Appendix D Section 2 of NRC Guide 10.8 states that the dose calibrator shall be checked for accuracy for several radionuclides including cesium-137, cobalt-57, and barium-133.

Contrary to this requirement, accuracy checks did not include several radionuclides. Specifically, the accuracy check performed on March 4, 1985, did not include barium-133 and cobalt-57.

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

2. 10 CFR 71.5 states that no licensee shall transport licensed material out of his facility unless the licensee complies with 49 CFR Parts 170-189.

49 CFR 173.475 states that before each shipment of any radioactive materials package, the shipper shall ensure by examination or appropriate tests that:

"External radiation and contamination levels are within the allowable limits specified in this chapter."

Contrary to this requirement, the licensee failed to ensure that the contamination levels were within allowable limits for packages containing molybdenum/technetium generators returned to the manufacturer for disposal. Specifically, the licensee failed to perform wipe tests for removable contamination on packages returned to the manufacturer.

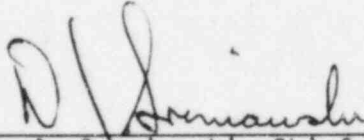
As an example, wipe tests for removable contamination were not performed on packages returned to the manufacturer on March 21, 28, 1985, May 5, 10, 17, 26, 1985, June 2, 9, 14, 16, 1985, and July 14, 1985.

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

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.

Dated

8/16/85

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