

NOTICE OF VIOLATION

St. Luke's Northland Hospital
Kansas City, Missouri

License No. 24-18631-02
Docket No. 030-34167

During an NRC inspection conducted on September 24, 1996 (onsite) 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:

1. 10 CFR 35.22(a)(3) requires that to establish a quorum and conduct business, at least one half of the Radiation Safety Committee's membership must be present, including the Radiation Safety Officer and the management's representative.

Contrary to the above, on August 28, 1996, the licensee's Radiation Safety Committee met and conducted business and the Radiation Safety Officer was not present.

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

2. 10 CFR 30.3 requires, in part, that except for persons exempted, no person shall receive, possess, or use byproduct material except as authorized by a specific or general license issued pursuant to Title 10, Chapter 1, Code of Federal Regulations.

Contrary to the above, between October 1, 1995, and June 30, 1996, St. Luke's Northland Hospital routinely received, possessed, and used byproduct material coincident to diagnostic and therapeutic medicine studies normally licensed by 10 CFR 35.100, 10 CFR 35.200, and 10 CFR 35.300 without a valid license and was not exempted from requiring a license.

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

Pursuant to the provisions of 10 CFR 2.201, St. Luke's Northland 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 22nd day of November 1996