

May 12, 1997

Cyril Kupferburg
Associate Senior Vice President
University of Cincinnati
Radiation Safety Office
234 Goodman Street, M. L. 591
Cincinnati, OH 45267-0591

SUBJECT: NRC INSPECTION AND NOTICE OF VIOLATION

Dear Mr. Kupferburg:

This refers to the inspection conducted on April 21-24, 1997 (with continued NRC in-office review through April 29, 1997) at the University of Cincinnati, Cincinnati, Ohio. The purpose of the inspection was to determine whether activities authorized by NRC License Numbers 34-06903-05 and SUD-265 were conducted safely and in accordance with NRC requirements. At the conclusion of the inspection, the findings were discussed with Vicki Morris.

The inspection was an examination of activities conducted under the aforementioned licenses as they relate to radiation safety and to compliance with the Commission's rules and regulations and with the conditions of your licenses. Within these areas, the inspection consisted of selective examinations of procedures and representative records, interviews with personnel, independent measurements and observation of activities in progress.

Based on the results of this inspection, the NRC has determined that violations of NRC requirements occurred. One of the violations is cited in the enclosed Notice of Violation (Notice). A written response is required.

In addition to the violations, we identified an unresolved item pertaining to compliance with 10 CFR 30.36. Specifically, we are reviewing your letters dated December 17, 1996 and April 17, 1997 as they pertain to the Decommissioning Timeliness Rule notification requirements in 10 CFR 30.36. As discussed with Vicki Morris on April 29, 1997, it is necessary for you to submit: (1) close out survey records of the Antarctica facilities referenced in your letter dated December 17, 1996; and (2) your best assessment of radioactive contamination in piping associated with licensed activities that were conducted in Old Ops Pavilion Room 6. The result of our review of this matter will be documented in separate correspondence.

As discussed with Vicki Morris on May 9, 1997, it is our understanding that you will inform all applicable staff that oral administration of iodine-131 will go beyond handing the patient the prescribed dosage and include ensuring that the prescribed dosage enter the patient's mouth. If our understanding is incorrect, contact this office immediately.



150020
9705150278 970512
PDR ADOCK 04002678
C PDR

1507

The NRC inspection conducted on April 22-26, 1996, identified an unresolved item concerning your methods of determining if radioactive waste was soluble or biological and dispersible in water prior to disposal in the sanitary sewer system in accordance with 10 CFR 20.2003. We have completed our review of this matter and concluded that the licensed material referenced in your letter dated November 20, 1996, is biological dispersible because it was used for biological research in or with a biological system or component. Since your sewer disposal evaluations correctly concluded that the licensed material was biological and dispersible in water, and the visual method to determine water solubility was a conservative additional check, no violations of NRC regulatory requirements were identified.

Please be advised that insoluble radiolabeled organic material should not be disposed to the sanitary sewer under the definition of "dispersible biological material" if the organic material's purpose had no involvement or connection with a biological system, component or purpose.

If you desire to use the visual method for determining water solubility of sewer effluents for compliance with 10 CFR 20.2003, it is necessary for you to provide confirmation that the method provides a sensitivity equivalent to a method described in Information Notice 94-07 (i.e., sensitive enough to detect particulate material down to 0.45 micron in size).

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, the enclosure, and your response to this letter will be placed in the NRC Public Document Room (PDR). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction.

Sincerely,

Original Signed by Gary L. Shear

Roy J. Caniano, Acting Director
Division of Nuclear Materials Safety

License Nos. 34-06903-05
SUD-265

Docket No. 030-02764
040-02678

Enclosure: Notice of Violation

cc w/encl: V. Morris

bcc w/encl: PUBLIC
K. Null
M. Lafranzo

DOCUMENT NAME: G:\INSPRPTS\MTLS\030\03002764.971

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	DNMS/RIII	<input checked="" type="checkbox"/> E	DNMS/RIII	<input checked="" type="checkbox"/> E	DNMS/RIII	<input checked="" type="checkbox"/> E	DNMS/RIII		
NAME	RGattone:brt		WSlawinski		JMadera		RCaniano		
DATE	05/ 7 /97		05/ 8 /97		05/ 8 /97		05/ /97		