ENCLOSURE

NOTICE OF VIOLATION

Clinton Regional Hospital
P.O. Box 1569
Clinton, Oklahoma 73601

Docket: 030-13129
License: 35-17654-01

During an inspection conducted from March 18 through April 14, 1997, six 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:

A. 10 CFR 20.1801 requires that the licensee secure from unauthorized removal or access licensed materials that are stored in controlled or unrestricted areas. 10 CFR 20.1802 requires that the licensee control and maintain constant surveillance of licensed material that is in a controlled or unrestricted area and that is not in storage. As defined in 10 CFR 20.1003, *controlled area* means an area, outside of a restricted area but inside the site boundary, access to which can be limited by the licensee for any reason; and *unrestricted area* means an area access to which is neither limited nor controlled by the licensee.

Contrary to the above, on March 18, 1997, the licensee did not secure from unauthorized removal or limit access to one 750 millicurie (mCi) technetium-99m generator. approximately 150 mCi of technetium-99m as sodium pertechnetate, approximately 30 mCi of technetium-99m prepared for a bone scan, and calibration sources located in the nuclear medicine area, a controlled area, nor did the licensee control and maintain constant surveillance of this licensed material.

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

B. Condition 14A of NRC License 35-17654-01 states, in part, that the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in an application dated June 14, 1993.

1. Item 10.4 of the application dated June 14, 1993, states that the licensee will establish and implement the model safety rules published in Appendix I to Regulatory Guide 10.8, Revision 2.

Appendix I to Regulatory Guide 10.8, Revision 2, states, in part, that radioactive waste will be disposed of only in designated, labelled, and properly shielded receptacles.

Contrary to the above, on March 18, 1997, the nuclear medicine technologist disposed of gloves and packaging for a butterfly valve which were contaminated with technetium-99m at levels approximately 6 times the

measured background value in a receptacle which was not designated for radioactive waste.

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

2. Item 9.3.1.c. of the application dated June 14, 1993, states that geometry dependence for the dose calibrator will be tested at installation and after relocation, repair or adjustment and that results shall be within +/- 5%.

Contrary to the above, in the Spring of 1996 the dose calibrator was relocated within the nuclear medicine area and the geometry dependence of the dose calibrator was not tested after the dose calibrator was relocated.

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

C. 10 CFR 35.70(a) requires that a licensee survey with a radiation detection survey instrument at the end of each day of use all areas where radiopharmaceuticals are routinely prepared for use or administered.

Contrary to the above, on numerous occasions from December 27, 1993, until March 18, 1997, the licensee did not survey the nuclear medicine area, an area where radiopharmaceuticals had been routinely prepared for use and administered, with a radiation detection instrument at the end of the day. Instead, these surveys were conducted at the beginning of the next day of use.

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

D. 10 CFR 35.70(b) requires that a licensee survey with a radiation detection survey instrument at least once each week all areas where radiopharmaceuticals or radiopharmaceutical waste is stored.

10 CFR 35.70(e) requires that a licensee survey for removable contamination once each week all areas where radiopharmaceuticals are routinely prepared for use, administered, or stored.

Contrary to the above, during the weeks of February 26, 1995, and March 24, March 31, and May 26, 1996, the licensee did not survey the nuclear medicine area with a radiation detection survey instrument; and during the weeks of March 24, March 31, and June 30, 1996, the licensee did not survey for removable contamination in the nuclear medicine area. The nuclear medicine area is an area where radiopharmaceuticals and radiopharmaceutical waste is stored and where radiopharmaceuticals were routinely prepared and administered.

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

E. 10 CFR 71.5(a) requires that a licensee who transports licensed material outside of the site of usage, as specified in the NRC license, or where transport is on public highways, 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 172.203(d) requires, in part, that the description for a shipment of radioactive material include: (1) the name or abbreviation (e.g., ^{99}Mo) of each radionuclide that is in the radioactive material and is listed in 49 CFR 173.435, or for mixtures of radionuclides, those nuclides determined in accordance with the provisions of 49 CFR 173.433(f); (2) the physical and chemical form of the material (if not special form); (3) the activity contained in each package of the shipment in terms of the appropriate SI units (e.g., Becquerel, Terabecquerel etc...), or in terms of appropriate SI units followed by customary units (e.g., curies, millicuries, or microcuries) [Note that for domestic transportation, use of customary units only is authorized until April 1, 1997]; (4) the category of label applied to each package (e.g., RADIOACTIVE WHITE-I), and (5) the transport index assigned to each package in the shipment bearing RADIOACTIVE YELLOW-II OR YELLOW-III labels.

Contrary to the above, from May 3, 1996, to March 8, 1997, the licensee routinely delivered to a carrier for transport used technetium-99m generators, and the description on the shipping paper that accompanied the shipment did not include the activity contained in each package of the shipment. Instead, the licensee entered the exposure rate measured on contact with the package as the activity.

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

The NRC has concluded that information regarding the reasons for the violations, the corrective actions taken and planned to correct the violations and prevent recurrence and the date when full compliance will be or was achieved is already adequately addressed on the docket in the licensee's letter dated March 31, 1997. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation," and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 761011, within 30 days of the date of the letter transmitting this Notice of Violation.

Dated at Arlington, Texas
this 5th day of May 1997