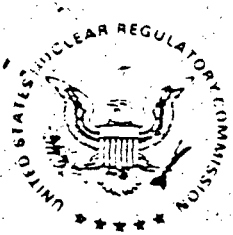


56

RECORD #56

TITLE: Violations of 10 CFR 20.207(a) or (b)

FICHE: 66247-031



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

0383/82
R II

JUN 1 1982

EGM 82-05

MEMORANDUM FOR: Robert Carlson, Enforcement Director, RI
Carl Alderson, Enforcement Director, RII
Robert Warnick, Enforcement Director, RIII
Eric Johnson, Enforcement Director, RIV
Allen Johnson, Enforcement Director, RV

FROM: James Lieberman, Acting Director of Enforcement, IE

SUBJECT: VIOLATIONS OF 20.207(a) OR (b)

Recently Region I forwarded two cases at hospitals involving violations of 20.207(a) or (b) i.e., storage of licensed material in unrestricted areas where access was possible and/or where constant surveillance was not maintained. In both cases, the likelihood of unauthorized removal of the material was small and the threat to the health and safety of the public was minimal and remote since (1) the material was in an area of the hospital where access by unauthorized personnel was unlikely, (2) the radiation levels near the material was low, (3) the half life of most of the material was short, and (4) the material was clearly labelled and not in an "attractive" form for theft. Because of the above, both Region I and the IE Enforcement Staff agree that the appropriate classification for this violation is a Severity Level IV.

In the future for similar cases the following should be done:

1. The transmittal letter should contain a paragraph similar to the following:

Item A described in the attached Notice of Violation, involving control of licensed material, is classified as a Severity Level IV violation. As indicated in Supplement VI of the NRC Enforcement Policy significant violations of this type are normally classified as Severity Level III. However, after careful consideration of the factors involved in this specific instance, we have exercised our judgment under the NRC Enforcement Policy and have classified this violation as Severity Level IV. Similar violations of this type in the future may result in additional enforcement action.

2. An enforcement conference should be held. A telephone enforcement conference should be adequate unless there are other significant violations.

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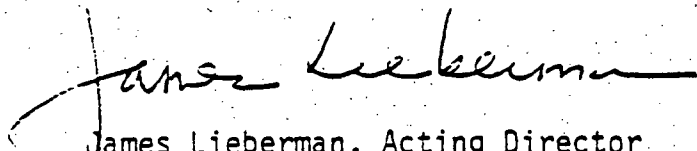
Regional Enforcement Directors

- 2 -

3. The Notice of Violation can be issued without prior notification of IE Enforcement, but Jim Lieberman should be included on the distribution.

This EGM supersedes EGM 81-08.

If you have any questions concerning this matter please contact Ed Flack 492-4900 or me.



James Lieberman, Acting Director
of Enforcement
Office of Inspection and Enforcement

cc: K. Cyr, ELD
E. Flack, IE
J. Henderson, IE
G. Barber, IE
T. Brockett, IE
J. Craig, IE
R. Rosano, IE