

RI-47

RI-47 ENFORCEMENT ACTIONS

PURPOSE

The following procedure contains the steps that are to be taken when it becomes necessary to notify a Principal User (PU) of deficiencies in complying with radiation safety procedures and, if necessary, to restrict the acquisition of radionuclides or the use of radiation sources until the deficiencies are corrected.

RULES AND REGULATIONS

The Radiation Safety Officer (RSO) is authorized and directed by the Radiation Safety Committee (RSC) to take such actions as are necessary to enforce the regulations, license conditions, and University policies and procedures that govern the use of radioactive materials or radiation sources by University personnel. Actions to restrict the acquisition of radioisotopes or the use of any radiation source, for the purpose of enforcing compliance with radiation protection regulations or procedures shall be initiated only by the RSO or RSC. The RSO will inform the RSC of any enforcement actions taken by the RSO against any PU. The RSC will respond immediately via e-mail or phone if immediate action by the RSC is required or will discuss enforcement actions at the next regularly scheduled meeting. Enforcement actions are routinely enforced by the RSC after consultation with the RSO. The Alternate Radiation Safety Officer (ARSO) is authorized to perform all duties in the absence of the RSO.

RESPONSIBILITIES

The Radiation Control Office will maintain the Principal User's file, which shall contain the records related to compliance enforcement actions. The RSO may release the restriction on acquisition of radionuclides or use of a radiation sources after verifying that all of the deficiencies that initiated the restriction have been corrected.

CONDITIONS FOR ACTION

Any significant violations of radiation safety policies or procedures may be grounds for enforcement actions. For emergency situations, the RSO or full time staff member of the RCO has the authority to take immediate action. Most enforcement actions are discussed with the RSC and the RSC determines the course of action taking into consideration the specific violation and severity.

The RSC meets to discuss various topics related to the University's radiation use license, including the results of every laboratory evaluation performed by the RCO since the last meeting. Deficiencies are discussed and an appropriate response is

generated when the RSC determines it is necessary. A repeat violation is heavily scrutinized by the RSC and, if appropriate, the RSC Chair sends a letter to the PU and a copy is sent to the PU's department head. The letter requests immediate action that is to be verified by the RCO. The letter also sets a deadline for the action and establishes limitations that will be placed on radiation use in the laboratory if adequate action is not taken.

If a response to a laboratory evaluation is not received from a PU by the required date on the Laboratory Evaluation Report, a Request for Information letter will be sent ~1 month after the Laboratory Evaluation Report is generated. The letter will reference and be consistent with the due date listed on the Laboratory Evaluation Report. The RSC will be informed of all Request for Information letters at the next RSC meeting. The RSC will evaluate the significance of the deficiencies and vote on whether to implement limitations on the PU's project if the due date is not adhered to.

If a response is not received by the due date, the RCO will inform the PU that a response is required and negotiate a mutually agreeable deadline. The RSC and RCO have found that extenuating circumstances, such as vacations or other obligations, often occur. However, under no circumstances will the deadline be later than 30 days after the initial deadline date. The PU will respond in writing to the RCO to verify this final deadline. The PU will also be informed that their department head will be contacted by the RSC Chairman requesting immediate action if the final deadline is not met. If the PU does not meet the final deadline, the PU's department head will be informed and the project limitations previously outlined with the PU will be implemented.

Before taking the enforcement actions described below, it is important that a conscientious effort be made to obtain compliance through personal discussions with the PU or appropriate individuals in the User's group by following the steps above.

ENFORCEMENT PROCEDURE

1. Send the PU and the PU's department head a memo or e-mail addressing only the specific items of noncompliance applicable to the PU. A telephone call to the PU explaining the memo or e-mail should be completed to alert the PU of the memo or e-mail. In an emergency action, as determined by the RSO or representative, the RSO may initiate this without consultation with the RSC. For other circumstances, the RSC usually writes and sends the memo or e-mail and a copy is sent to the PU's department head.
2. Make a copy of the memo or e-mail to include in the agenda for the next meeting of the Radiation Safety Committee.

3. Change the entry in the "Status" field of the PU's authorization file in the radiation safety database to remove the authorization to purchase radioactive material.
4. In the RCO database, place a note under "PI notes" that includes the restrictions and the date compliance is due.
5. Place a copy of the memo or e-mail in the PU's file.
6. **Once a month**, an individual in the RCO, who shall inform the RSO of any that are overdue, shall review the restrictions in the PI notes.
7. The RSO will inform the RSC who will determine whether the authorization as a PU shall be restricted or terminated.

CLEARING OF NONCOMPLIANCE ACTIONS

1. All information, e.g. memos, e-mails, forms or other records, relating to a current noncompliance enforcement action shall be placed in the PU's file and action 2 or 3, below will be initiated.
2. If there are still unresolved noncompliance items, add the new information to the PU file. If the compliance date has passed notify the RSO. The RSO will notify the RSC that the compliance date was not met and the RSC will decide further actions to be taken.
3. If all noncompliance items have been resolved, the RCO shall:
 - a. Make the appropriate entry in the "Status" field of the PU's authorization record in the RCO database.
 - b. Enter the date the noncompliance was cleared in the restriction note in the RCO database.
 - c. Inform the Radiation Safety Committee of the date the noncompliance was cleared.
 - d. Make sure that all forms and records related to this noncompliance action are filed properly.