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FOR IMMEDIATE RELEASE

NRC STAFF PROPOSES \$2500 CIVIL PENALTY
AGAINST NATIONAL INSTITUTES OF HEALTH

The Nuclear Regulatory Commission staff has proposed a \$2500 fine against the National Institutes of Health (NIH) for failing to secure from unauthorized access licensed radioactive materials used in research at the NIH campus in Bethesda, Maryland.

NRC found during inspections beginning on July 6 and October 23 of last year that small quantities of radioactive materials were kept inside unlocked refrigerators within unlocked laboratories, with no one present to control access to the materials.

The violations found in July 1995 were identified by an NRC augmented inspection team, while those identified in October 1995 were found by another NRC special team inspection. The augmented inspection team was sent to NIH as the result of the ingestion of radioactive phosphorus-32 by a pregnant researcher and 26 additional NIH staff members. Investigations of the ingestion of radioactive material have not yet been completed, and NRC has not yet reached a decision on enforcement action for these events.

In notifying NIH of the proposed fine, NRC Regional Administrator Hubert J. Miller said, "It is a significant regulatory concern that NRC inspectors repeatedly have been able to gain access to licensed materials at your facility without challenge, because it indicates that members of the public may do so as well."

The NRC is particularly concerned with the number of examples of this violation and the fact that previous violations of security requirements were identified during NRC inspections in April through May 1994, and in June 1995, Mr. Miller said.

NRC acknowledged that NIH has recently taken corrective actions, including immediate confiscation of unsecured radioactive materials, amendment of its security policy and initiation of a security monitoring program. However, these corrective actions were not appropriately comprehensive to prevent recurrence of the security violations, NRC said. An additional NRC inspection on

November 7 through 9, 1995, identified three more instances in which unattended licensed radioactive materials were not locked up.

The NRC also cited NIH for several other violations, for which fines were not proposed. The additional violations include:

- Workers not wearing extremity radiation monitoring badges, and not returning the film badges and ring badges each month, as required;
- Users obtaining radioactive materials without providing required information regarding the identity of the intended users or the signature of an authorized investigator;
- Researchers performing licensed activities without first receiving required training; and
- Failing to perform thyroid bioassay measurements of researchers who handled certain quantities of Iodine-125.

NIH has 30 days either to pay the fine or protest its imposition.

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