

U.S. Nuclear Regulatory Commission
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NRC GIVES GUAM ENVIRONMENTAL AGENCY 60 DAYS TO AVOID \$2,750 FINE FOR VIOLATIONS

The U.S. Nuclear Regulatory Commission staff has proposed a \$2,750 fine against the Guam Environmental Protection Agency (GEPA) unless it disposes of a device containing a radioactive source that it possesses in violation of NRC requirements.

An NRC inspection conducted in February and March found four apparent violations of NRC requirements, including GEPA's failure to store a gas chromatograph in such a way that it would not be accessible to unauthorized users, and failure to store it in the location indicated on GEPA's NRC license.

The gas chromatograph contains a slightly radioactive source of nickel-63 and is used to measure and analyze chemicals and environmental contaminants. The island of Guam is a U.S. Territory in the South Pacific.

Ellis W. Merschoff, NRC Region IV Regional Administrator in Arlington, Texas, said in a letter to GEPA, "NRC normally considers failures to provide adequate security and control for licensed radioactive material stored or used in unrestricted areas to be of significant concern. In addition, the four apparent violations collectively indicate a lack of management oversight of this licensed activity."

The NRC inspection found that the gas chromatograph had not been stored in a locked room at GEPA's facility on Rojas Street in Harmon, Guam, as indicated on the NRC license. Rather, the entire GEPA operation, including the chromatograph, was moved in March 1996 to a new facility in Barrigada, Guam. There, GEPA failed to satisfy requirements that the device be kept in a room accessible only to authorized users and locked when an unauthorized user was not present.

The inspection also found two other violations, in GEPA's failure to prepare required shipping papers to transport the gas chromatograph from Harmon to Barrigada, and failure to inform the NRC that the radiation safety officer specified on its NRC license had left GEPA.

GEPA informed the NRC in February that it intended to dispose of the chromatograph by returning it to its manufacturer, and to then terminate its NRC license. GEPA reiterated that position in a n Aug. 5 letter to NRC. However, GEPA has yet to transfer the chromatograph, and nor has it amended its license NRC to reflect the Barrigada location for the device and its new radiation safety officer.

NRC has given GEPA until Nov. 10 to properly dispose of the device, or face a \$2,750 fine for what has been classified as a Severity Level III problem on the NRC's 1 to 4 Severity Level scale for enforcement actions. Level 4 is the least serious.

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