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Office of the Executive Vice Chancellor

509 Administration
Irvine, CA 92697-1000
(949)824-6296
(949)824-2438 Fax

October 25, 2002

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555

References: Docket 50-326. UC Irvine Nuclear Reactor Facility
NRC Inspection Report and Notice of Violation 50/326/2002-201-01

Ladies and Gentlemen:

As requested, we respond to the referenced Notice of Violation dated October 1st 2002.

1. Discussion of Violation. We note the specific details compiled by your inspector of the discrepancies in our shipping documentation for shipments from the Nuclear Reactor Facility. While our internal documentation contains some of the missing information (such as Transport Index, and surface level information) and we are of the opinion that shipping papers and labeling of shipments that traveled with the shipment were more correct, there is no doubt that information is missing from the copies of the official shipping record in our possession. We believe that the one shipment apparently mislabeled as to level was, in fact, at or below Yellow II requirements at the time of leaving the area. However, the shipping papers and other documentation clearly failed to support this claim. We regret these omissions. They were, at least in part, due to our staff using very old models of how to fill out the forms. In addition, due to old practices from many years' ago, there has been a general misunderstanding that rules for shipment by private vehicles driven by experimenters themselves, which constituted 23 of the 26 shipments made during the period examined (January 1st 2001 through September 18th 2002) were less restrictive. The 23 shipments were of mixed activation products in connection with neutron activation analysis of unknown materials, containing mostly medium-lived radioisotopes (such as manganese-56 and sodium-24). All were well packed and dispersed solids and none would be considered of a hazardous chemical nature if spilled.

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2. Corrective Steps Taken. Facility Staff/Operators have been informed, as of the inspector's visit, that full information must be included on every form no matter how the shipment is to be made. They have been instructed to contact DOT trained and certified shipment specialists in the EH&S Office regarding each shipment. One of these, Kathleen Harkness, has been assigned since September 1st 2002, to work part-time at the facility and will be available for processing shipments whenever possible. A new, revised, model for shipping papers has been made and placed in the current file for use at the next shipment.
3. Corrective Steps to be Taken. Training is being scheduled for all personnel that could be involved with shipping isotopes. This is expected to take place before December 31st 2002. Further training/refresher sessions will be scheduled at intervals not to exceed two years. Only those staff documented to have completed such training will be permitted to authorize and conduct shipments of materials from the facility.
EH&S shipping experts have agreed to produce a brief manual for guidance of those being trained to make shipments from the facility.
4. Full Compliance. As noted above, full compliance should already be in place, with documented additional training and certification to be completed by January 1st 2003.

We appreciate the opportunity to respond to this Notice of Violation, and also appreciate that all other aspects of facility operation that were inspected during this visit were found to be satisfactory.

Sincerely,



Michael R. Gottfredson
Executive Vice Chancellor

Cc: Mr. Craig Bassett, NRC Office of Nuclear Reactor Regulation
Dean Ron J. Stern, UCI Physical Sciences
Members, UCI Reactor Operations Committee