

HEALTH PHYSICS CONSULTATION

Providing professional radiation physics services since 1964

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January 4, 2006

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

Reference: Reply to a Notice of Violation
Docket No. 03019600
License No. 45-19958-01
Inspection: 03019600/2005001

Dear Sir or Madam:

This letter is our reply to the Notice of Violation listed above, addressing the four severity level IV violations identified during our recent inspection on November 21, 2005. We do not wish to contest any of the violations and have responded below to each as instructed.

A. Hazmat employee training

1. Reason for the violation

Our health physicists are the only employees who transport radioactive materials, (i.e. sealed sources for client instrument calibration.) These professionals have had many years of radiation safety education and experience including multiple training sessions in the shipment of radioactive material, however none was formally documented within the time period mentioned. This was an oversight on our part.

2. Corrective steps taken and results achieved

I will be attending a formal course entitled "DOT and NRC Requirements for Shipping and Receiving Radioactive Material" on January 9-10, 2006. Once I have completed this course, formal training will be given by me to all other employees who require it. While our current levels of training and experience qualify us to perform this DOT training requirement, we feel these actions are appropriate under the circumstances.

3. Corrective steps to avoid further violations

We will add this training requirement to our list of tracked regulatory issues and as an item on our Annual Review of our Radiation Protection Program.

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4. Date when full compliance will be achieved

We expect to have completed all required formal training described above on or before January 31, 2006.

B. Emergency Response Information

1. Reason for the violation

The shipping information which we carry as required by Department of Transportation regulations contains emergency contact information for our facility and all appropriate federal and state authorities. We believed that this was adequate to comply with the DOT emergency response information requirements, but now realize that it was insufficient. This was an oversight on our part.

2. Corrective steps taken and results achieved

We have provided the most recent version of the "Emergency Response Guidebook" prepared by the DOT and referenced in 49 CFR 172.602(b)(3)(iii) which will be kept in the same manner as our shipping papers. This should satisfy the requirement for Emergency Response Information.

3. Corrective steps to avoid further violations

This document will be regularly checked by our health physicists who transport radioactive material and will be added to our annual review for presence and updates.

4. Date when full compliance will be achieved

This action was taken December 27, 2005 and full compliance was achieved as of that date.

C. Surveys to assure compliance with radiation exposure limits to the general public

1. Reason for the violation

This regulatory requirement is one with which we are very familiar because we ensure our client's compliance with it. Our own use of a Cs-137 beam calibrator on-site was extremely limited and while we knew by experience that we were in compliance with all appropriate limits, a formal survey and documentation had not been performed. This was an oversight on our part.

2. Corrective steps taken and results achieved

Since the inspection, we have set up our beam calibrator in the position used for the small amount of time we performed calibrations on-site. Measurements were made with a calibrated portable ion chamber and calculations were done and documented. The results of this survey demonstrated that our use of this source produced radiation levels well within the limits specified in 10 CFR 20.1301(a)(1) and (2).

3. Corrective steps to avoid further violations

We will add this to our list of reviewable requirements and resurvey as required by changes in any aspect of this procedure.

4. Date when full compliance will be achieved

This survey was performed on December 27, 2005. Full compliance was achieved on that date.

D. Periodic review of the radiation protection program

1. Reason for the violation

Again, this is a regulatory requirement with which we are very familiar and informal review of our radiation protection program occurs routinely as our health physicists go about their duties. This review was not formally documented as being accomplished annually as required. This was an oversight on our part.

2. Corrective steps taken and results achieved

We have developed an outline for formal review of our program which is based on NRC issued guidance for program review and audit. We have tailored this review to our situation and will make changes as necessary to comply with new regulations or to keep doses ALARA.

3. Corrective steps to avoid further violations

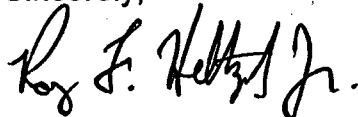
We have added this review of our radiation safety program to our list of reviewable requirements to ensure that it is performed at least annually. The Radiation Safety Officer will review and sign this document to further ensure adequate performance.

4. Date when full compliance will be achieved

We expect to complete the formal review of our radiation protection program content and implementation for the 2005 calendar year no later than January 31, 2006.

Please contact me if there are any further questions or concerns.

Sincerely,



Roy F. Heltzel, Jr.
President and Radiation Safety Officer

c: Samuel Collins, Regional Administrator
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