



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-4005

June 20, 2006

Rex G. Hoy
Radiation Safety Officer
State of Montana
Department of Transportation
2701 Prospect Avenue
P.O. Box 201001
Helena, Montana 59620-1001

SUBJECT: RESPONSE TO NRC INSPECTION REPORT 030-05179/2006-004 AND
NOTICE OF VIOLATION

Dear Mr. Hoy:

Thank you for your letter of June 13, 2006, in response to our letter and Notice of Violation (Notice) dated May 15, 2006. We have reviewed your reply and find it responsive to the concerns raised in the Notice. We will review the implementation of your corrective actions during future inspections to determine that full compliance has been achieved and will be maintained.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

A handwritten signature in cursive script that reads "Anthony W. Davis for".

Vivian H. Campbell, Chief
Nuclear Materials Inspection Branch

Docket No.: 030-05179
License No.: 25-11498-01

cc w/copy of licensee's letter dated 06/13/2006:
Montana Radiation Control Program Director



June 13, 2006

RECEIVED

JUN 14 2006

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

DNMS

Subject: "Reply to NOTICE OF VIOLATION" Docket No. 030-05179

This is our response to the above notice of violation.

1. Reason for violation:

Montana Department of Transportation's reason for violation was we did not understand the need of surveys with maximum gauge numbers present and that calculations of exposure to individual members of the public were required.

2. Corrective steps and results:

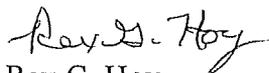
The sited storage area received upgraded shielding that reduced radiation level at the outside wall from a maximum of 2 mrems per hour to 1.1 mrems per hour with 8 gauges in the storage area. A survey of the storage area with the maximum number of gauges to be stored there was performed and a revised calculation of exposure to individual members of the public was made. Also, the laboratory supervisor was informed of how many gauges could be stored at the site. See attachments 1 and 2.

3. Corrective steps to avoid further violations:

All of our laboratory supervisors will be informed of how many gauges can presently be stored in their storage area according to maximum numbers of gauges that were present in past surveys and instructed not to exceed that number. If they plan on additional gauges a revised survey will be performed at which time new calculations of exposure to the general public will be made. If above regulation readings or calculations are obtained measures will be taken to bring the readings into compliance.

4. Date when full compliance will be achieved:

Compliance to the sited storage area was completed June 13, 2006. Calculations of dose rates to individual members of the public with current storage site surveys will be completed by June 30, 2006 at our other 12 sites. We will inform them of the maximum number of gauges allow to be stored at their site and instruct them to contact us if or when they plan on increasing gauge numbers and a new site survey and calculation of exposure to the general public will be made.



Rex G. Hoy
Radiation Safety Officer
(406)444-6270

copies: U.S NRC Document Control Desk
NRC Regional Administrator
Janine F. Katanic, Ph.D

06/13/2006

Attachment 1

MONTANA DEPARTMENT OF TRANSPORTATION NUCLEAR GAUGE STORAGE SITE EVALUATION

On May 9, 2006 the Montana Department of Transportation increased the shielding to the sited nuclear densometer storage area. A survey of the storage area was then performed. The highest reading on any exterior wall of the building was 1.1 mrem. Below is the calculation of the maximum exposure members of the general public would likely receive.

The probable maximum time any person would spend in this location as estimated by Kathy Beckstrom, Kalispell Lab Supervisor, is 15 minutes per week.

15 minutes x 52 weeks = 780 minutes or 13 hours

13 hours times x 1.1 mrem per hour = 14.3 mrems per year

Conclusion – individual members of the public are likely to receive 14.3 mrems or less per year.

The outside maximum reading is now below 2 mrems per hour and the exposure to the general public is below 100 mrem per year.

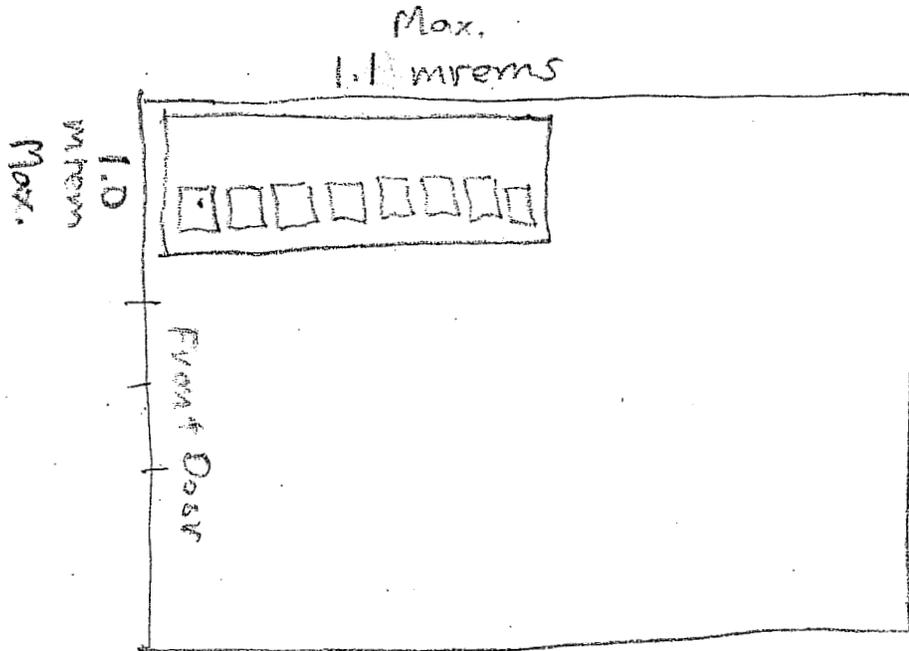
At the time of the survey 8 troxler gauges were present. The supervisor of the area was informed that 8 gauges is the maximum number of gauges allowed at the site and that a new survey and calculations of exposures to the general public must be made if any increase of gauge numbers is planned.

Attachment 2

8. Are radiation readings at the outside of the storage room (unrestricted areas) less than 0.002mSv (2mrem) per hour and where members of the public will not receive more than 1msv (100 mrems) per year? Yes

8 Troxler Gauges
After Added Shielding
Survey

DIAGRAM



Comments or Recommendations:

Upgraded wall shielding by filling it with sand.

Inspector Signature Rex G. Hoy
6-7-06

bcc w/copy of licensee's ltr dtd 06/13/2006 (via ADAMS distrib):

LDWert

CLCain

VHCampbell

JEWhitten

JFKatanic

KEGardin

NMIB

RIV Materials Docket File (5th floor)

SUNSI Review Completed: JFK ADAMS: X Yes No Initials: JFK

X Publicly Available Non-Publicly Available Sensitive X Non-Sensitive

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