



IN REPLY REFER TO:
Transportation

United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Eastern Oklahoma Regional Office

P.O. Box 8002

Muskogee, OK 74402-8002

RECEIVED

APR 24 2007

DNMS

APR 23 2007

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

Ladies and Gentlemen:

The purpose of this correspondence is to respond to violations noted from Nuclear Regulatory Commission (NRC) periodic inspection conducted on March 7, 2007, (NRC INSPECTION REPORT 030-30406/07-01 AND NOTICE OF VIOLATION "Reply to a Notice of Violation") at the Bureau of Indian Affairs, Eastern Oklahoma Regional Office (EORO) and the EORO roads garage facility, both located in Muskogee, Oklahoma. The inspection was performed by Mr. Larry Donovan, NRC, Region IV, in Arlington, Texas.

There were two (2) Severity Level IV violations of NRC requirements cited as a result of the inspection. Correction of these violations and the complete oversight of the radiation safety program at EORO facilities are of the utmost importance and the EORO has implemented actions to rectify these violations.

Pursuant to the provisions of 10 CFR 2.201, the Department of the Interior, EORO is submitting under Enclosure 1 the required written statement for (1) the reason for the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved.

This information is also being sent to the Regional Administrator's Office, U.S. Nuclear Regulatory Commission, Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011-8064.

Respectfully

(Sgd) Karen J. Ketcher

ACTING

Regional Director

Enclosure 1

cc: Regional Administrator's Office, Region IV, NRC, 611 Ryan Plaza Drive, Suite 400,
Arlington, Texas 76011-8064

ENCLOSURE 1

REPLY TO A NOTICE OF VIOLATION

Department of the Interior
Bureau of Indian Affairs
Muskogee, OK

Docket No. 030-30406
License No. 35-15239-02

A March 2007 Nuclear Regulatory Commission (NRC) inspection identified two (2) Severity Level IV violations of the Bureau of Indian Affairs, Eastern Oklahoma Regional Office, Division of Transportation's (BIA, EORO, DOT) Radiation Safety Program. Pursuant to the provisions of 10 CFR 2.201, please find the following response.

- A. 10 CFR 20.1101(c) requires, in part, that the licensee shall periodically (at least annually) review the radiation protection program content and implementation.
1. Reason for Violation - Oversight in the full monitoring of program requirements.
 2. Corrective steps taken - Developed a process that involves program review and employee testing to maintain awareness of all facets of the safety program. Results Achieved - Employees have been brought up to date on safety program and tested to determine knowledge.
 3. Corrective steps to be taken to avoid further violation – Coincide the annual review with the annual radiation leak test in order to stay abreast of the requirement. Place review and radiation leak test on electronic calendar with reminder.
 4. Date of Full Compliance - Beginning in April 2007, full compliance will be achieved upon continuance of review process.
- B. ~~10 CFR 20.1302(b)(1) requires, in part, that licensees shall conduct operations so that the total dose equivalent to individual members of the public from the licensed operation does not exceed 0.1 rem (1 mSv) in a year.~~

10 CFR 20.1302(b)(1) requires, in part, that the licensee shall show compliance with the annual dose limit in 10 CFR 20.1301 by demonstrating compliance by measurement or calculation that the total dose equivalent to the individual likely to receive the highest dose from the licensee operation did not exceed the annual dose limit.

- 1 Reason for Violation – Oversight in the full monitoring of program requirements.
- 2 Corrective Steps taken - Measurement taken at time of inspection. Purchased an up to date Geiger Counter. Results Achieved - New Geiger Counter received, measurement taken and documented and yearly exposure rate calculated for quality assurance.
- 3 Corrective Step to be taken to avoid further violation – Make monitoring process part of routine radiation leak tests and gauge inventory.
- 4 Date of Full Compliance – Full compliance achieved in March 2007. Monitoring will continue as required.