

**NORTHROP GRUMMAN**

**Dr. Robert L. Del Boca**  
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July 1, 2008

Steven A. Reynolds, Director  
Division of Nuclear Materials Safety  
US Nuclear Regulatory Commission, Region III  
2443 Warrenville Rd., Suite 210  
Lisle, IL 60532-4352

RE: Response to an Apparent Violation; EA-08-159

This letter is written in response to your letter of June 6, 2008, identifying an Apparent Violation of 10 CFR.20(b) by the Northrop Grumman Systems Corporation (NGSC) facility located at 500/600/600A Hicks Rd. Rolling Meadows, Illinois. Corrective actions have been implemented and, to the best of our knowledge, our facility is currently in compliance. A discussion of the Apparent Violation and actions taken is outlined below.

#### **Apparent Violation**

The Apparent Violation involved failure to file an NRC Form 241 at least three days prior to engaging in a licensed activity at Eglin AFB, Florida, an Area of Exclusive Federal Jurisdiction within an agreement state. The licensed activity involved flight testing a Litening targeting pod containing two sealed americium-241 metal foils (5 micro-curies each).

#### **Reason for Violation**

We have investigated the Apparent Violation and determined that the root cause was an interpretation of our license by the Engineering and Program Management personnel who were directing testing activities with the Air Force at Eglin AFB. The personnel involved interpreted that our license allowed shipments of the sources to all Department of Defense (DOD) installations and therefore concluded that Eglin AFB could accept our Litening forward section. They did attempt to contact the base RSO prior to shipping but were unsuccessful.

#### **Immediate Corrective Action**

NRC Form 241 for establishing a temporary jobsite at Eglin AFB was completed and submitted to the NRC via fax on May 5, 2008. The NRC returned the approved reciprocity agreement on May 6, 2008 correcting the Apparent Violation. The pod's forward section containing the radioactive material was returned to the Rolling Meadows site on May 14, 2008.

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Our investigation also determined that the Rolling Meadows shipping department is the best point to establish immediate controls. The shipping department was directed on May 5, 2008 to obtain approval from the Rolling Meadows site RSO prior to proceeding with any shipment containing radioactive materials. This control, which remains in place and is working, ensures that shipments can not be made without the appropriate documentation.

#### **Follow-On Corrective and Preventative Actions**

The site Ionizing Radiation training program has been enhanced to cover the lessons learned from this experience, including additional information on the requirements of our license and the use of reciprocity agreements. The personnel required to take this training include employees who work directly with the products and those who may be involved in directing activities that may impact compliance with our license. Three training sessions have been completed for 77 employees.

An update to the site Ionizing Radiation Program procedure has been drafted to include additional licensing and regulatory requirements, expanded employee/organizational responsibilities and the supplemental shipping controls. The draft has been submitted to our Command Media organization and it will go through our formal review cycle by all stakeholders before publication.

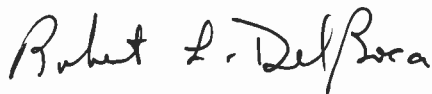
Our site is certified to ISO 9001, ISO 14001, AS 9100 and VPP and has an extensive auditing and corrective action program. Changes to the site Ionizing Radiation Program will be included within the audit program to verify compliance.

#### **Date of Full Compliance**

Full compliance was achieved with the implementation of shipping controls put in place on May 5, 2008, and the reciprocity agreement approved on May 6, 2008. The supplemental shipping controls, enhanced training program, updated Ionizing Radiation Program procedure and revised auditing program establish preventative actions that will help ensure future compliance.

If you have questions or require clarification on the above please contact David Gurrie at 224-625-5099.

Sincerely,

A handwritten signature in black ink, reading "Robert L. Del Boca". The signature is written in a cursive style with a large, stylized 'R' and 'B'.

Dr. Robert L. Del Boca  
Sector Vice President & General Manager  
Defensive Systems Division