



**THE NAVAJO NATION  
DEPARTMENT OF WATER RESOURCES**

P. O. Box 678 • Fort Defiance, Arizona 86504 • (928) 729-4003 • FAX (928) 729-4029

DR. JOE SHIRLEY, JR.  
PRESIDENT

BEN SHELLY  
VICE PRESIDENT

August 21, 2008

Ms. Rachel Browder, Health Physicist  
Nuclear Material Safety Branch B  
US Nuclear Regulatory Commission  
Region IV  
612 east Lamar Boulevard, Suite 400  
Arlington, Texas 76011-4125

RE: Radioactive Material Handling License application  
Docket No: 030-37769, Licence No: 02-29109-02, Control No: 471834

Dear Ms. Browder,

This is in reference to our conversation and faxed list of deficiencies dated August 21, 2008.

We firmly stand by our commitments made in the attached letter dated January 27, 1998 to Mr. Kent A. Prendergast, Radiation Specialist, a copy is attached.

Deficiency # 7:

The Department of Water Resources will not remove, open, repair, modify or perform any maintenance on sealed sources and on source holder, containers, or survey instruments. Such services will either be performed by the manufacturer, licensed equipment manufacturer or a licensed entity a company authorised by US NRC.

Deficiency # 12:

A copy of the organization chart is attached.

I believe that the information provided with the license application, letter of January 27, 2008 and here in with this letter will help in issuing the requested licence.

If you need further information or explanation, please advise. Thank you

Sincerely,

A handwritten signature in black ink that reads "Najam H. Tariq".

Najam H. Tariq, Branch Director/ RSO  
Technical, Construction and Operation Branch



# THE NAVAJO NATION

P. O. BOX 9000 • WINDOW ROCK, ARIZONA 86515 • (602) 871-6000

ALBERT A. HALE  
PRESIDENT

THOMAS E. ATCITY  
VICE PRESIDENT

January 27, 1998

Mr. Kent M. Prendergast, Radiation Specialist  
United State Nuclear Regulatory Commission  
Region IV, Walnut Creek Field Office  
1450 Maria Lane, Suite 210  
Walnut Creek, California 94596

Reference: New License. Mail Control. 572484

Dear Mr. Prendergast:

This is in reference to your letter dated January 5, 1998 and meeting with you and Mr. John Wilson, Health Physicist, Arizona Radiation Regulatory Agency (ARRA), regarding our application for the new licence. Our response to your concerns as listed in the letter 1 to 9, is as follows:

1. Please see a copy of the outline of annual Radiation Safety And Management course and a copy of the participants attached as exhibits 1A & 1B. In addition to that Mr. Melvin Badonie, logging assistant and I are scheduled to attend the upcoming training on Radiation Safety And Management which will include specific training on 10 CFR part 39 and DOT Regulations to be held in Las Vegas, NV from February 22 to 24, 1998, by Stan Huber and Associates. We attend this training on annual basis.
2. All well logging personnel will receive training on our Operating and Emergency Procedure ( O & EPs ) and will be provided copies of O&EPs and which will be available at the temporary job site. A copy of our O&PEs that addresses the items covered under section 10.6 of the "Guide for the Preparation of Application for the Use of Radioactive Materials in Well logging operations" is attached as exhibit "2A".

A copy of the annual audit inspection check list is attached as exhibit "2B".

Management will expeditiously correct all deficiencies identified during audits.

Letter to Mr. Prendergast  
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3. We have two Radiation Detection Instruments:

LUDLUM	493 VICTOREEN
Measurements, Inc.	6000 Cochran Road
Sweet Water, Texas	Cleveland, OH. 44139
Model-6, Geiger Counter	Model 493

Both the Survey instruments are used for detection of low level radiation and can measure radiation as low as 0.1 - 50 mR/hr.

To ensure proper use of our radiation detection instruments, we check the following:

- A. Always check the batteries by using the " Battery Check" prior to its operation. Batteries are checked every two to three months.
- B. Check the calibration date and make sure that the instruments are in compliance with calibration requirements. We get our instruments calibrated on a six months time intervals to assure their accuracy by authorized individual ( Radiation Safety Engineering ) .
- C. We use the source container surface reading and use that known reading to ensure that instrument is operational.

The logging probe is not used for quantification of contamination. If we encounter any contamination, we will contact an expert consultant, Radiation Safety Engineering, Inc., as soon as possible.

4. The following steps are taken on loss of a film badge;

Inform the RSO and the company from where we purchase the badge. Provide them the badge number , issuing date, lost dates, and request for its replacement. Determine the administrative dose by looking at the history of the dose results for that individual and assign administrative dose.

5. We do not use radioactive tracers.
6. We restrict access to radioactive sources all the time including when the source is downhole.
7. A copy of the shipping papers is attached as "Exhibit.7A".

Letter to Mr. Prendergast  
U S N R C, Page 3

8. RSO is the only person who will order radioactive materials and all shipments will be received by the RSO during normal working hours.

We further clarify that no shipment will be sent to any temporary job site other than the normal transportation of our well logging source.

9. The management is now more aware of the regulatory compliance expected and will use the annual audit of the program to identify the deficiencies and make corrections. All deficiencies identified during the last State inspection have been corrected. The following reflect our improvements:

Inventory of Sealed sources:

Sealed source inventories will be conducted semi annually.

Calibration of Radiation Survey Instrument:

The Radiation Survey Instruments shall be calibrated every six months.

Records of Inspection and Maintenance:

We shall conduct daily ( when the material is used ) and semi annual inspections of our radioactive source containers, logging tools and equipments. We also take instrument reading from the Geiger counter and we have records on file.

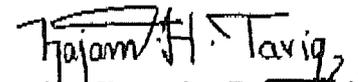
Items of Concern:

- 1) Placards are not required. The radioactive source is not stored in the vehicle except at temporary job sites of the Navajo Nation
- 2) The two radium sources are now stored in a metal cabinet with a key lock within a steel cage with a padlock. .
- 3) The label on the RA 226 source has been replaced and are legible.
- 4) The bill of lading/ shipping papers carried in the truck show only the source or sources being transported and is current.
- 5) Annual retraining of the logging supervisor and the logging assistance are documented as required.

Letter to Mr. Prendergast  
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I would like to take this opportunity to thank you and Mr. Wilson for coming over here and helping us with clarifying the unclear questions and enabling us to make the proper response to your concerns and questions regarding our application for Radioactive Material Handling License. Thank you.

Sincerely,



Najam H. Tariq, Branch Director  
Technical and Construction Branch  
Department of Water Resources

cc: Mr. John Wilson, ARRA

Docket No. 030-34432  
License No. 02-29109-01

**DEPARTMENT OF WATER RESOURCES**

**FY 2005**

**STARTING POSITION**

THE NAVAJO NATION

EXECUTIVE BRANCH

Navajo Nation Council

Division of Natural Resources  
Arvin S. Trujillo, Executive Director  
Frederick H. Write, Deputy Director

Oversight Committee

Department of Water Resources  
Raymond A. Benally, Dept. Manager III

Administrative Support Staff  
Susan Day, Sr. Office Specialist  
Charlene Roarhorse, Sr. Accountant  
Johnnie Willett, Jr., Sr. Stores Clerk  
Marjorie Natonabah, Accts. Maintenance Specialist

Water Code Section  
Bernie Williams, Sr. Program & Project Specialist  
Jack Uiter, Principal Hydrologist  
Laurita J. Begay, Contract Compliance Officer  
Vacant - Accts. Maintenance Specialist

Technical, Construction & Operations Branch

Water Management Branch

Safety of Dams Program

- Project Planning/Engineering
- Geological section
- Drilling
- Construction Support
- Mechanics
- Transportation
- Domestic
- 12 Field Offices
- Irrigation Systems

- Watershed Projects
- Water Rights Protection
- Data Management
- Special Projects
- Water Monitoring
- Flood Plain Management

- Design
- Engineering
- Dam Maintenance

