

Date: August 19, 2009

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AUG 19 2009

To: Jackie Cook, NRC Region IV

**DNMS**

From:  Tim DeBey, USGS RSO (proposed)

Subj: Self-identified violation

3 pages total

Jackie,

Please let me know if you need more information right away. My email is [tdebey@usgs.gov](mailto:tdebey@usgs.gov) and my phone is 303-236-4726.



Department of the Interior  
US Geological Survey  
Box 25046 MS-974  
Denver CO, 80225

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DNMS

Jackie Cook  
US NRC Region IV  
611 Ryan Plaza Drive Suite 400  
Arlington Texas 76011-4005

Jackie,

This letter is to report a self-identified violation of our byproduct material license. Contrary to the USGS license number 05-01399-08, specification 22 (see below), a physical inventory of all sources and/or devices possessed under the license was not being performed. The overriding factor that contributed to this violation was the identification of sources as exempt when, in fact, they are not exempt. Sources that were identified as exempt on our inventory list were not being physically inventoried every six months.

License Specification:

"22. The licensee shall conduct a physical inventory every 6 months, or at other interval approved by the U.S. Nuclear Regulatory Commission, to account for all sources and/or devices received and possessed under the license."

Date of discovery:

Inventory irregularities were first noted on July 27, 2009. Verification of the requirements for a source to be exempt IAW 10 CFR 30.18 was completed on August 4, 2009, confirming the violation.

Details of violation:

Errors have been found in the USGS radioisotope inventory spreadsheet that was being actively maintained and most recently updated in June, 2009. Most of the errors have involved sources that were listed on the inventory as "exempt" even though the activities and/or isotopes of the sources preclude them from being exempt sources. For other sources that do fall within the limits of 10 CFR 30.71, Schedule B, we have no documentation to support that the sources were actually received as exempt sources from an appropriately licensed distributor. As a result of the sources being listed on our inventory as "exempt", there was no physical inventory being conducted as required by our license. All of the sources involved have activities in the low microCurie range.

While performing a thorough physical inventory of the "exempt" sources, we also located a number of small sources that are not listed on our inventory. These sources are also in the low microCurie activity range and include both byproduct material and source material. We have not yet completed our physical inventory so we do not have final data to report.

Actions taken to correct deficiencies:

1. A complete and thorough physical inventory of all licensed materials is being performed and documented to provide an accurate inventory.

No 4 7 2 3 8 6

Date that compliance is achieved: Estimated to be September 18, 2009

Actions that will be taken to prevent recurrence of event:

1. All future inventories will include exempt, general and specific-licensed materials.
2. Permit holders will be instructed to turn in unwanted check/calibration sources to the RSO for disposal or transfer to another licensee.
3. Permit holders will be given written instructions concerning the proper handling, storage, use, and disposal of any small calibration or check sources, regardless of whether they are under a specific license, source license, or general license.

We will provide a detailed update to this event as we complete the inventory and receive other information to substantiate the status of the sources in question.

Sincerely,



Tim DeBey  
USGS Radiation Safety Officer (proposed)

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## ACCEPTANCE REVIEW MEMO (ARM)

Licensee: Department of the Interior

License: 05-01399-08

Docket: 030-03728

Mail Control: 472386

Type of Action: Notify

Date of Requested Action: 8-19-09

Reviewer  
Assigned:

ARM reviewer(s): Torres

Response	Deficiencies Noted During Acceptance Review
	<ul style="list-style-type: none"><li>[ ] Open ended possession limits. Submit inventory. Limit possession.</li><li>[ ] Submit copies of latest leak test results.</li><li>[ ] Add IC L.C./Fingerprint LC, add SUNSI markings to license.</li><li>[ ] Confirm with licensee if they have NARM material.</li><li>[ ] Change of contact information (RSO), send request to update IC database.</li></ul>

Reviewer's Initials: \_\_\_\_\_

Date: \_\_\_\_\_

- ☐ Yes ☐ No Request for unrestricted release Group 2 or >. Consult with Bravo Branch.
- ☐ Yes ☐ No Termination request < 90 days from date of expiration
- ☐ Yes ☐ No Expedite (medical emergency, no RSO, location of use/storage not on license, RAM in possession not on license, other)
- ☐ Yes ☐ No TAR needed to complete action.

Branch Chief's and/or HP's Initials: \_\_\_\_\_ Date: \_\_\_\_\_

### SUNSI Screening according to RIS 2005-31

☐ Yes ☒ No Sensitive and Non-Publicly Available if any item below is checked

General guidance:

- \_\_\_\_\_ RAM = or > than Category 3 (Table 1, RIS 2005-31), use Unity Rule
- \_\_\_\_\_ Exact location of RAM [suite #, bldg. #, location different from mailing address] (whether = or > than Category 3 or not)
- \_\_\_\_\_ Design of structure and/or equipment (site specific)
- \_\_\_\_\_ Information on nearby facilities
- \_\_\_\_\_ Detailed design drawings and/or performance information
- \_\_\_\_\_ Emergency planning and/or fire protection systems

Specific guidance for medical, industrial and academic (above Category 3):

- \_\_\_\_\_ RAM quantities and inventory
- \_\_\_\_\_ Manufacturer's name and model number of sealed sources & devices
- \_\_\_\_\_ Site drawings with exact location of RAM, description of facility
- \_\_\_\_\_ RAM security program information (locks, alarms, etc.)
- \_\_\_\_\_ Emergency Plan specifics (routes to/from RAM, response to security events)
- \_\_\_\_\_ Vulnerability/security assessment/accident-safety analysis/risk assess
- \_\_\_\_\_ Mailing lists related to security response

Branch Chief's and/or HP's Initials: RVT Date: \_\_\_\_\_

SEP - 4

This is to acknowledge the receipt of your letter/application dated  
8-19-09, and to inform you that the initial processing,  
which includes an administrative review, has been performed.

9-09-09  
DATE

☒ There were no administrative omissions. Your application will be assigned to a technical reviewer. Please note that the technical review may identify other omissions or require additional information.

☐ Please provide to this office within 30 days of your receipt of this card:

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The action you requested is normally processed within      days.

☐ A copy of your action has been forwarded to our License Fee & Accounts Receivable Branch, who will contact you separately if there is a fee issue involved.

Your action has been assigned Mail Control Number 472386.  
When calling to inquire about this action, please refer to this mail control number.  
You may call me at 817-860-8103.

Sincerely,

*Colleen Annunzio*

Licensing Assistant

License Fee Management Branch, ARM  
and  
Regional Licensing Sections

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:      (FOR LFMS USE)
:      INFORMATION FROM LTS
:      -----
:
: Program Code: 03610
: Status Code: 0
: Fee Category: 3L 1D
: Exp. Date: 20150228
: Fee Comments: NOT EX 5A 1D EFF 12/11/02
: Decom Fin Assur Req'd: Y-
:
: .....
```

Signed  
Date