UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

March 23, 2010

Docket No. 03012630 License No. 01-00126-16

Stephen V. Howard, C.H.P.
Radiation Safety Officer
Department of the Army
U.S. Army Aviation and Missile Command
U.S. Army TMDE Activity
AMSAM - TMD - SR, Building 5417
Redstone Arsenal, AL 35898-5000

SUBJECT: NRC INSPECTION REPORT NOS. 03012630/2009003, 03012630/2009005, 03012630/2009007, 03012630/2009009, 03012630/2009011, 03012630/2009012, 03012630/2009015, 03012630/2009016, 03012630/2009018, 03012630/2009021, 03012630/2009022, and 03012630/2009023, DEPARTMENT OF THE ARMY, AND NOTICE OF VIOLATION

Dear Mr. Howard:

Between April 21, 2009 - December 17, 2009, NRC inspectors conducted a safety and security inspection at twelve of your facilities located across the United States (Schofield Barracks, HI; Ft. Lewis, WA; Ft. Hood, TX; White Sands Missile Range, NM; Ft. Riley, KS; Tobyhanna, PA; Letterkenny, PA; Edgewood, MD; Fort Bragg, NC; Anniston Army Depot, AL; Bluegrass Army Depot in Richmond, KY; and Ft. Campbell, KY) of activities authorized by the above listed NRC license. Additional information provided during telephone conversations between you and Kathy Modes on February 5, 2010 and March 12, 2010 was also examined as part of the inspection. The findings of the inspection were discussed with you during a telephone conversation on March 9 and 12, 2010.

Based on the results of this inspection and in accordance with the NRC Enforcement Policy, the NRC has determined that your activities were not conducted in full compliance with NRC requirements. Since the NRC had identified the violation(s), a Notice of Violation is enclosed that categorizes the security-related violation(s) by severity level. The enclosed report presents the results of this inspection.

Enclosure(s) transmitted herewith contain(s) SUNSI. When separated from enclosure(s), this transmittal document is decontrolled.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements. Because this issue involves security-related information, your response will not be made available electronically for public inspection in the NRC Public Document Room or from the NRC document system (ADAMS), accessible from the NRC Website at http://www.nrc.gov/reading-rm/adams.html. Mark your entire response, “Security Related Information- Withhold Under 10 CFR 2.390.” In accordance with 10 CFR 2.390(b)(1)(ii), the NRC is waiving the affidavit requirements for any response that you provide to this Notice and the accompanying letter. However, to the extent possible, your response should not include any personal privacy, proprietary, or safeguards information.

In accordance with 10 CFR 2.390 of the NRC’s "Rules of Practice," a copy of this letter (without the enclosures) will be made available electronically for public inspection in the NRC Public Document Room or from the NRC document system (ADAMS), accessible from the NRC website at http://www.nrc.gov/reading-rm/adams.html.

Current NRC regulations are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, Academic, and Industrial Uses of Nuclear Material;** then **Regulations, Guidance, and Communications Page.** The current Enforcement Policy is included on the NRC's website at www.nrc.gov; select **About NRC; How We Regulate; Enforcement;** then **Enforcement Policy.** You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 7:00 a.m. to 6:30 p.m. EST, Monday through Friday (except Federal holidays).

Department of the Army

Please contact Kathy Modes, of my staff, at (610) 337-5251 if you have any questions regarding this matter.

Sincerely,

Original signed by Mark Roberts

Judith A. Joustra, Chief
Decommissioning Branch
Division of Nuclear Materials Safety

Enclosures:
1. Inspection Report (**Contains Security-Related Information**)
2. Notice of Violation (**Contains Security-Related Information**)

cc w/encl:
State of Alabama
State of Hawaii
State of Texas
State of Washington
State of New Mexico
State of Kansas
Commonwealth of Kentucky
State of North Carolina
State of Maryland
Commonwealth of Pennsylvania

Department of the Army

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Commonwealth of Kentucky
State of North Carolina
State of Maryland
Commonwealth of Pennsylvania

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