



DEPARTMENT OF THE ARMY
UNITED STATES ARMY TACOM LIFE CYCLE MANAGEMENT COMMAND
6501 EAST 11 MILE ROAD
WARREN, MICHIGAN 48397-5000
April 26, 2010

REPLY TO
ATTENTION OF:

US Army TACOM Life Cycle Management Command
Safety Office

Nuclear Regulatory Commission
Region III
ATTN: Ms. Tamara Bloomer
2443 Warrenville Rd, Suite 210
Lisle, Illinois 60532-4352

SUBJECT: Reply to a Notice of Violation in reference to NRC Reactive Inspection Report Number 030-11612/10-01 (DNMS) and Notice of Violation – Department of the Army

Dear Ms. Bloomer,

This command acknowledges the cited violations in the referenced report. The four violations being as follows: (1) The failure to provide hazmat training for the individual shipping the licensed material; (2) Failure to provide a shipping paper with the licensed material; (3) Failure to properly label the over-pack containing the licensed material; and (4) Failure to properly mark the over-pack containing the licensed material.

The reasons for the violations were miscommunication between mission and shipping personnel and an urgent need to ship out the gauge, before an impending stoppage of shipment of the portable nuclear gauging devices, due to Department of the expiring Transportation (DOT) Special Permit 14568. The gauges were being shipped to a depot for manufacturer disposition/disposal.

Corrective actions taken are as follows: (Within 24 hours of Notification of Event, Initiated Actions) - (1) All packaging employees at the location where the violations occurred attended training in the recognition of HAZMAT, proper handling of HAZMAT packages and internal control measures were reviewed., (2) Internal investigation was conducted of the shipment incident to determine causes and corrective actions., (3) The location with the violations initiated a two-person shipping control system to ensure Installation Radiation Safety Officer (IRSO) or Alternative has reviewed packaging specifications, shipping papers and required labels and markings prior to release to carrier., (4) As cited in the NRC Inspection Report, the NRC licensee submitted to its field units a radiation safety reminder describing the required training for all individuals responsible for shipping hazardous materials and that all shipment of these gauges be stopped until a DOT Special Permit to transport these gauges was revised (This action was taken before the event occurred) . (Additional Corrective Actions Resulting from Internal Investigation) – (1) Formal and Informal counseling was conducted with selected employees.

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The counseling emphasized responsibilities to follow instructions and follow-up on completion of assigned tasks. , and (2) HAZMAT commodity shipping technicians completed the Department of Defense 80 hour HAZMAT Transportation (AMMO-62) Course on April 9, 2010. Additional employees will be scheduled into courses scheduled for May, June, July, August and September 2010.

Also, actions taken to avoid further violations were: (1) The Installation Radiation Safety Officer (IRSO) and Alternate, at the site with the violations, conducts facility inspections in conjunction with semi-annual high risk safety inspections to verify inventories, handling, storage and transportation procedures of radioactive commodities., (2) The IRSO is scheduled to attend a 5 year retraining during this current fiscal year., (3) As stated in the NRC Inspection Report, dual approval is in place for all shipments with the licensee, item manager and field location. All movements are tracked due to special permit requirements., and (4) The DOT Permit was revised with a January 31, 2011 expiration date, which only allows for movement of the gauges for disposal. There are now only four gauges in the field with the remaining testers all at a depot awaiting disposal. The three sites having the four remaining testers are in contact with the licensee and progressing toward turn-in to a depot for eventual disposal. All gauges will be disposed of prior to January 31, 2011 and the NRC license terminated shortly afterward. The results of the corrective actions are compliance with NRC and DOT requirements. The site with the violations was in compliance with the training provided on April 9, 2010.

If you have any questions regarding this matter, please contact the US Army Life Cycle Management Command (LCMC) Radiation Safety Program Manager, Mrs. Karen Lapajenko McGuire, at (586)282-7635.

Sincerely,


George G. Jarvis
TACOM LCMC Safety Director