



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
NATIONAL HEALTH AND ENVIRONMENTAL EFFECTS RESEARCH LABORATORY
Gulf Ecology Division
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Gulf Breeze, FL 32561-5299

OFFICE OF
RESEARCH AND DEVELOPMENT

February 23, 2011

U.S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, DC, 20555

Subject: Reply to a Notice of Violation Docket No. 03032959 for License No. 09-10672-03.

Dear Sir or Madam:

The purpose of this letter is to respond to the Notice of Violation (NOV), Docket No. 03032959 dated February 7, 2011, for License No. 09-10672-03. This NOV was the result of the inspection performed on January 4 and 5, 2011, by Mr. Steven Courtemanche. The United States Environmental Protection Agency (USEPA), Gulf Ecology Division (GED) at Gulf Breeze, FL, has completed a review of the circumstances leading to the violations and taken corrective action to abate the violations as well as planned corrective action that will minimize potential recurrence.

The nature of the violation was cited as follows:

1. The electron capture devices (ECDs) in storage would be placed on the same leak test schedule as those ECDs in use so that all of the ECDs will be tested at the required six-month interval.
2. A system would be established to track attendance at Radiation Safety refresher training. The system would also serve as a reminder to staff to provide such training.
3. A system would be established to track the calibration of radiation detection instrumentation. The system would also serve as a reminder of the need to calibrate instrumentation.

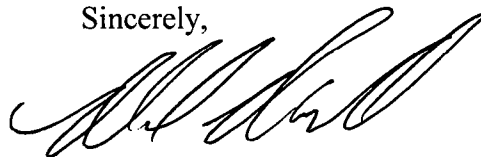
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Corrective actions were taken as follows:

1. The ECD leak test is routinely performed August and February of every year. All ECDs, including those in storage, were tested on Feb 17, 2011, and the RSO will continue to leak test all ECDs, including those in storage, on a six-month basis.
2. All Radiation Users were notified on Jan 14, 2011, to complete the refresher training as provided by the "EPA Basic Radiation Safety" on-line program. The training includes an exam and a certificate of completion. A copy of the certificate of completion was provided to the RSO by February 28, 2011, from the radiation users. For future refresher training, the RSO and Health and Safety Officer at GED are currently designing in-house annual refresher training for radiation users to begin implementation in 2012. All attendees will be notified by the Health and Safety Officer and/or the RSO when the training will occur and they will be required to sign a roster in order to track and verify their participation.
3. Two Geiger counters and one probe were calibrated by Ludlum instruments on January 31, 2011. Certificates of Calibration sheets were provided by Ludlum and these will be maintained by the RSO as record. A reminder to calibrate the radiation detection instrumentation on a yearly basis was added to the RSO calendar of activities.

The USEPA at Gulf Breeze, FL, is confident the corrective actions as outlined above will be on-going to maintain our Radiation Program in compliance with NRC regulations. Any questions should be directed to Dr. Stephanie Friedman, Radiation Safety Officer at 850-934-2468 or to Dr. Michael Murrell, Chair, at 850-934-2433.

Sincerely,



Michael Murrell, PhD
Chair, Radiation Safety Committee

cc: Regional Administrator, Region 1
Mr. Steven Courtemanche
State of Florida