Transportation Security Laboratory
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Homeland Security

9-5

November 22, 2011

James P. Dwyer, Chief
Commercial and R&D Branch
Division of Nuclear Materials Safety
United States Nuclear Regulatory Commission, Region 1
575 Allendale Road
King of Prussia, PA 19406-1415

Dear Mr. Dwyer:

Re: NRC Inspection Report No. 03030808/2011001 and Notice of Violation (dated November 2, 2011)
Docket No. 03030808 License No. 29-13141-06

The Transportation Security Laboratory (TSL) would like to express our gratitude for the thorough and courteous radiation safety inspection performed by Ms. Betsy Ullrich of your office on September 20 and October 18, 2011. Her knowledge and experience was integral in identifying the areas of our program that needed the implementation of remedial measures.

In response to your Notice of Violation (NOV) dated November 2, 2011 (Docket No. 03030808), the TSL offers the following:

The TSL does not contest any of the five (5) violations cited in the November 2 NOV. It should be noted that the primary cause of all the infractions is the fact that our laboratory is comprised of numerous individual cells which are separately managed. This inherent fragmentation creates the potential for a lack of communication and/or coordination between the groups. In addition, each lab cell is typically performing a high volume of work with several operations occurring at one time. As a result, the natural entropic progression, coupled with the structural fragmentation, created a system that was not conducive to tracking the source instruments.

Furthermore, the safety team, recognizing this problem several months earlier, had requested computer software specifically for tracking radioactive sources. Unfortunately, the computer software had not been installed prior to the inspection, which precluded effective tracking of the radioactive sources.

However, since most or all of the violations stem from essentially the same cause (an incomplete inventory of source instruments), solving that problem will remediate the remainder of the issues at the same time. Our solution involves channeling all responsibility for shipping/receiving, tracking and leak testing through the Radiation Safety Specialist (RSS). If the RSS is unavailable, one of the other members of the TSL Safety Team will perform the

necessary function. The TSL will ensure that every member of the Safety Team, as well as one or two other key employees, will receive the required Department of Transportation (DOT) training for shipping and receiving radioactive source items. Once trained, those individuals will be the *only* individuals allowed to ship or receive these items. Until that time, no shipping or receiving of source-containing devices will be performed. Similarly, the RSS will ensure that a physical inventory of all source instruments, with concomitant leak testing, will be performed every six (6) months. Current inventory and leak test records will be maintained by the RSS and will be readily available for inspection. In addition, the Radiation Safety Officer (RSO) will be responsible for notifying the NRC anytime there is a transfer of a generally-licensed device to our specific license. Finally, the TSL is writing a management directive / SOP detailing the new radiation safety protocols which consolidate all responsibilities through the Safety Office. This document will be distributed to all staff involved in the process.

The TSL is committed to providing a safe working atmosphere for all of its employees and contractors. In addition, we understand the significance of the violations identified and we are working diligently to rectify them. In accordance with this commitment, the TSL will fully implement these operational changes by April 30, 2012.

Once again, we would like to thank the NRC for bringing the issues to our attention. If you have any questions or require additional information, please contact our office.

Respectfully,

Susan F. Hallowell, Ph.D.
Director