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July 9, 2013

Docket No.: 030-20681

License No.: 07-13441-02

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555

2013-001

Subject: Reply to a Notice of Violation

To Whom It May Concern:

E.I. du Pont de Nemours and Company, Inc. is replying to a Notice of Violation (dated June 17, 2013) of condition 17 A of the NRC License No. 07-13441-02 (Dec. 21, 2012). The Notice of Violation cites that the Licensee failed to have the specified sealed source leak tests completed within the appropriate interval of not greater than six months.

Attached to this letter is the response from the licensee to the Notice of Violation. Mr. John M. Brisbin, DuPont Radiation Safety Officer, may be contacted for additional information at (302) 695-6896, cell (302) 420-2233, facsimile (302) 695-4032, or by E-mail at JOHN.M.BRISBIN@USA.dupont.com.

Sincerely,

Leo F. Hamilton
DuPont Site Facilities Manager

Experimental Station - E328/407
700-779 Powder Mill Road
Wilmington DE 19880

For the US NRC Radioactive Material License Number 07-13441-02
C/o E.I. du Pont de Nemours and Company, Inc.
Stine-Haskell Research Center
P.O. Box 30
Newark, DE 19714-0030

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E.I. du Pont de Nemours and Company, Inc.
Docket No.: 030-20681
License No.: 07-13441-02
Stine-Haskell Research Center

Response to NRC Notice of Violation (dated June 17, 2013)

Pursuant to the provisions of 10 CFR 2.201, E.I. du Pont de Nemours and Company, Inc. is replying to a Notice of Violation (dated June 17, 2013) of condition 17 A of the NRC License No. 07-13441-02 (Dec. 21, 2012).

Notice of Violation (NRC, June 17, 2013)

“Condition 17 A of NRC License No. 07-13441-02 requires that sealed sources shall be tested for leakage and/or contamination at intervals not to exceed six months or at the intervals specified in the certificate of registration issued by the U.S. Nuclear Regulatory Commission under 10 CFR 32.210 or under equivalent regulations of an Agreement State. The required leak test frequency is six months for sources: Agilent Technologies Models G2397A and G1533A; TN Technologies Model 9267; and Panametrics Model 400.”

“Contrary to the above, between July 11, 2012, and May 2, 2013, the licensee did not test sealed sources for leakage at the appropriate interval. Specifically, the most recent leak test records of more than 50 sealed sources were dated July 11, 2012; at least four of these sealed sources (Agilent Technologies Models G2397A and G1533A; TN Technologies Model 9267; and Panametrics Model 400) required leak-testing at six month intervals. Although the licensee collected the leak test samples between December 7 and 19, 2012 and mailed the samples to the vendor for analysis on December 19, 2012, the licensee had not received the results as of May 2, 2013 and did not request the results from the vendor. The licensee did not know if the sealed sources were leaking between July 11, 2012 and May 2, 2013, an interval greater than six months, therefore, the leak tests were not completed.”

“This is a Severity Level IV violation (Section 6.3).”



Response to NRC Notice of Violation

1. The Reason for the Violation

The semi-annual leak test samples collected by the Licensee for the specified sealed sources were transferred and analyzed (Dec. 30, 2012) by our designated certified analytical services vendor within the required minimum six months from the previous leak testing interval. However, the Radiation Safety Office of the Licensee could not provide documentation for these results at the time of the NRC visit on May, 1st and 2nd of 2013. Results of the analyses for the specified sealed source leak tests were properly documented on May 5, 2013 and demonstrate that there had been no leakage or loss of integrity to any of the specified sealed sources in this report, up to and through the six month period prior to the sample collection on or about December 19, 2012. The results of these tests were immediately passed on to the lead auditor of the NRC audit team.

2. The Corrective Steps that have been Taken and the Results Achieved

The Radiation Safety Office of the Licensee has put into place administrative audits to verify that leak testing is completed within the required minimum of six months from the previous sealed source leak test, inclusive to the receipt by the Licensee of all the appropriate results and Certificates of Analysis. The Radiation Safety Officer or a designate will audit and verify the results of each leak test sampling and analysis time point. In the event that the sampling analysis time point, including sample(s) collection, sample(s) transfer, vendor sample(s) analysis, and the return receipt of the Certificate of Analysis to the Licensee, cannot be reasonably completed and properly documented by Radiation Safety Officer or a designate within approximately 30 days from the leak test sample(s) collection date, then the sampling analysis time point will be immediately repeated and the leak test sample(s) will be retaken and resubmitted to an appropriate vendor capable of completing the analysis for this test sampling analysis time point.

The first scheduled sampling time point since these administrative changes were put into place yielded the following results; sample(s) collection (May 20, 2013), sample(s) transfer, vendor sample(s) analysis, and the return of the Certificate of Analysis (received on May 24, 2013). The Radiation Safety Officer successfully demonstrated and properly documented the completion of the time point sampling and testing (complete with results and Certificates of Analysis) within 30 days of the sample(s) collection and within the required minimum of six months from the previous leak testing time point. The results from the latest leak test sampling analysis continue to demonstrate that prior to



and through the date of the last sampling interval and time point, there have been no indications of any leakage and/or loss of integrity to any of the specified sealed sources listed in this report.

3. The Corrective Steps that will be Taken and the Results Achieved

The Radiation Safety Officer or a designate of the Licensee will continue to administratively audit the results and verify the completion of the sealed source leak test sampling time point within the required minimum of six months from the previous sealed source leak test.

4. The Date when full compliance will be Achieved

Full compliance by the Licensee has been achieved as of this response dated July, 9, 2013. The Radiation Safety Officer was successful in recording proper verification and proper documentation of the results from the latest sampling and testing time point (complete with Certificates of Analysis) within 30 days of the scheduled sample collection date and within the required minimum six months from the previous leak testing time point.