

**United States Department of Agriculture**  
Office of the Assistant Secretary for Administration  
Office of Homeland Security and Emergency Coordination  
Radiation Safety Division  
5601 Sunnyside Avenue, MS 5510  
Beltsville, MD 20705

December 5, 2014

US Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555

License No. 19-00915-03  
Docket No. 030-04530

Reply to a Notice of Violation

NRC Inspection Report Nos. 030004530/2014003, 2014004, 2014005, 2014006 and 2014007

This is in response to the letter from Blake Welling, Chief, Commercial, Industrial, R&D and Academic Branch, Division of Nuclear Materials Safety, Nuclear Regulatory Commission (NRC) and Notice of Violation, dated October 28, 2014.

Response to Item A. in the Notice of Violation:

The Radiation Safety Division (RSD) has determined that radiation safety refresher training requirements were not clearly understood by the USDA Radiation Use Permit Holders at the Forest Service facility in Fraser, Colorado, and the Animal and Plant Health Inspection Service facility in Fort Collins, Colorado, as well as at other USDA locations where this violation has recently been identified.

The Radiation Use Permit Holder at the Animal and Plant Health Inspection Service facility in Fort Collins, Colorado, received refresher radiation safety on September 8, 2014. The Radiation Use Permit Holder at the Forest Service facility in Fraser, Colorado, will receive refresher radiation safety training no later than December 31, 2014.

RSD has developed a training tracking system that identifies the status of refresher radiation safety training for Radiation Use Permit Holders and Associate Users at all USDA locations and will work to ensure that users, who have not received training within the required frequency, take

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refresher radiation safety training no later than December 31, 2014. RSD will also use this tracking system to ensure currently trained users receive refresher training within the required frequency.

Response to Item B. in the Notice of Violation:

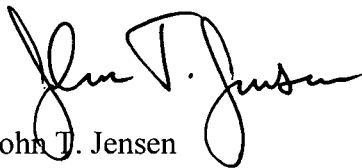
The RSD has determined that the requirement in License Condition 23 for locking gauge containers or source rods to prevent unauthorized or accidental removal of the sealed sources was not clearly understood by the Radiation Use Permit Holder at the Agricultural Research Service facility in Akron, Colorado.

The gauges at the Akron, Colorado, facility were placed within their transport containers and locks were installed on the containers to prevent unauthorized or accidental removal of the sealed sources on September 12, 2014.

To avoid further violations, RSD will ensure that the Radiation Use Permit Holder at the Agricultural Research Service facility in Akron, Colorado instructs all portable gauge users at the facility in the gauge transport container locking procedures. In addition, RSD will notify all USDA portable gauge Radiation Use Permit Holders to review their procedures for complying with License Condition 23 and correct any deficiencies or violations.

If you have any questions, please contact me on 301-504-2441.

Sincerely,



John T. Jensen  
Chief

cc:

Regional Administrator, Region I, NRC