

United States Department of Agriculture
Office of the Assistant Secretary for Administration
Office of Homeland Security and Emergency Coordination
Radiation Safety Division
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Designate As Original
TM Haverkamp
03/11/16

February 25, 2016

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 No. 03004530/2015004

This is in response to the letter dated February 1, 2016, from James M. Trapp, Director, Division of Nuclear Materials Safety, Nuclear Regulatory Commission (NRC), with enclosed Notice of Violation, dated February 1, 2016.

The RSD has determined that the requirement in 10 CFR 30.34(i) to use two independent barriers to prevent unauthorized removal of portable gauges when not under the control or constant surveillance by authorized gauge users was not clearly understood by individuals responsible for radiation safety at the Agricultural Research Service, Northern Plains Soils & Water Research Center in Sydney, Montana.

On September 18, 2015, individuals responsible for radiation safety at the Sydney, Montana, facility placed a lock on the portable gauge storage cabinet and ensured that only authorized gauge users had access to keys for the lock on the gauge storage cabinet and for the locked building housing the gauge storage cabinet. After discussion with representatives at the Sydney, Montana, facility, a cable with a padlock was placed around the portable gauge storage cabinet on October 19, 2015, so that the two locked barriers for the gauges were physically closer to the gauges and consisted of the locked storage cabinet and the locked cable around the cabinet. The locked building housing the gauge storage cabinet also provides a barrier but is not necessary for compliance with 10 CFR 30.34(i).

To avoid further violations, RSD will review the security barriers at other USDA gauge storage locations to ensure compliance with 10 CFR 30.34(i).

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

Sincerely,



John T. Jensen
Chief

cc:
Regional Administrator, Region I, NRC

REC'D 10225716 AM 10/23