



**UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES**

ARMED FORCES RADIOBIOLOGY RESEARCH INSTITUTE

4301 JONES BRIDGE ROAD

BETHESDA, MARYLAND 20814-4799

www.usuhs.edu



1 August 2018

MEMORANDUM FOR U.S. NUCLEAR REGULATORY COMMISSION  
(ATTN: DOCUMENT CONTROL DESK)  
Washington DC 20555-0001

FROM: Director, Armed Forces Radiobiology Research Institute  
Uniformed Services University of the Health Sciences  
Bethesda, MD 20814

SUBJECT: Reply to Notice of Violation dated 5 July 2018 RE: Docket 50-170 License R-84

Reason for the violation: More than 15 months have elapsed since the last audit of AFRRI's Facility Emergency Plan (EP) and Implementing Procedures (IP), and AFRRI's Facility Physical Security Plan (FPSP), while AFRRI's current technical specification (TS) section 6.2.5 (30 September 2016) states that the audit interval will be no more than 15 months. The reason for this violation is an inadvertent conflict between the one-year interval specified in the TS and the 2-year review intervals specified in the EP which was updated in December 2003 and the FPSP which was updated in August 2017.

Corrective Steps that have been taken: AFRRI has reviewed and confirmed that current EP/IP and FPSP are on file and have been submitted to NRC.

Corrective steps that will be taken: AFRRI will update TS section 6.2.5 to reflect the current 2-year audit intervals for EP/IP and FPSP as implemented in the EP/IP and FPSP.

Date when full compliance will be achieved: AFRRI will submit the proposed updated TS to NRC no later than 30 September 2018.

for *John Gilstad*

John Gilstad, MD  
CAPT, MC, USN  
Institute Director  
Armed Forces Radiobiology Research Institute

Enclosures:

- 1. Notice of Violation 05000170/2018201

*JEDI*  
*NRR*

## NOTICE OF VIOLATION

Armed Forces Radiobiology  
Research Institute

Docket No. 50-170  
License No. R-84

During a U.S. Nuclear Regulatory Commission (NRC) inspection conducted June 5-7, 2018, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

As specified in the Armed Forces Radiobiology Research Institute (AFRRI) Facility Operating License No. R-84 for the TRIGA-type nuclear reactor, Section 2.C.2, "Technical Specifications," states the following: "The Technical Specifications contained in Appendix A are hereby incorporated in their entirety in the license. The licensee shall operate the facility in accordance with the Technical Specifications."

The AFRRI technical specification (TS), Section 6.2.5., "Audit Function," states that audits shall be performed annually, not to exceed 15 months and shall encompass the following:

- a. Conformance of facility operation to the Technical Specifications and the license;
- b. Performance, training, and qualifications of the reactor facility staff;
- c. Results of all actions taken to correct deficiencies occurring in facility equipment, structures, systems, or methods of operation that affect safety;
- d. Facility emergency plan and implementing procedures;
- e. Facility Physical Security Plan;
- f. Any other area of facility operations considered appropriate by the RRFSS or the AFRRI Licensee; and
- g. Reactor Facility ALARA Program. This program may be a section of the total AFRRI program.

Contrary to the TS requirements referenced above, on June 7, 2018, the NRC inspector found that more than 15 months had lapsed since the last audit for the facility emergency plan (EP) and implementing procedures (IPs); and the facility physical security plan (PSP). Although an annual audit was performed in February 2018, it did not include the EP, IPs, or PSP as required by TS. The last time these plans and procedures were audited was in January 2017.

This has been determined to be a Severity Level IV violation (Section 6.1).

Pursuant to the provisions of Title 10 of the *Code of Federal Regulations* (10 CFR) 2.201, "Notice of violation," AFRRI is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include: (1) the reason for the violation, or, if contested, the basis for disputing the violation or severity level, (2) the corrective steps that have been taken and the results achieved, (3) the

corrective steps that will be taken, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an Order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

Because your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (Agencywide Documents Access and Management System), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>, to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21, "Protection of Safeguards Information: Performance Requirements."

In accordance with 10 CFR 19.11, "Posting of notices to workers," you may be required to post this Notice within two working days of receipt.

Dated this 5<sup>th</sup> day of July 2018