



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

FEB 22 1980

Ref: SA/KNS

Mr. Phillip Babb, Manager  
Radiation Control Branch  
Bureau for Health Services  
Department for Human Resources  
Frankfort, Kentucky 40601

Dear Phil:

This will confirm the comments and suggestions Mr. McGrath and Mrs. Schneider made to you regarding our recent regulatory review of the Kentucky program.

Based on the results of the review, the staff believes that the Department's program for control of agreement material is adequate to protect the public health and safety and is compatible with the Commission's program.

The review of selected license files revealed deficiencies as follows:

1. In special nuclear material licenses authorizing Pu-Be sealed sources, we recommend that standard condition 92, the ban on air transportation of plutonium be included on the license.
2. Applicants for all radioactive materials licenses should supply information concerning location and storage of the materials. We noted that in some cases this information was not obtained.
3. We recommend that training procedures for the users and janitorial and security personnel be considered during the review process.
4. During our review of files, a number of cases were noted where licensing submittals or responses to enforcement letters were signed by "third parties", i.e. consultants or technicians. Such correspondence should come from a responsible representative of licensee management unless the third party is clearly designated by the licensee to speak for and make commitments, on his behalf.

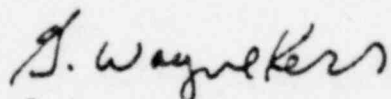
Selected inspection reports reviewed during the meeting were clear, concise and in good narrative form. However, the following recommendations are offered to improve the compliance program:

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1. Independent measurements performed by inspectors at licensee facilities in which unsealed radioactive materials are used should include appropriate contamination wipes.
2. The requirements of 902 KAR 100.165, "Notices, reports and instructions to employees," should be covered during inspections and discussed in inspection reports.
3. Our review of the report concerning the Louisville G&E radiography incident revealed that although the State was notified of the incident on September 25, 1979, no on site investigation was made until September 28. In cases of possible serious overexposures, an immediate response by the State would be a prudent step, and a complete evaluation should be made by the State.
4. We suggest that it would be useful to prepare complete procedures for the handling of escalated enforcement actions (orders, impoundment, revocation, hearing, etc.) and have these procedures available to all staff. Elements of or suggested escalated Enforcement Action Procedure were sent to All Agreement States on January 14, 1980.

We would appreciate your review of the above recommendations and would like to receive your comments on them. I appreciate the cooperation extended to Mr. McGrath and Mrs. Schneider during the meeting with you and your staff.

Sincerely,



G. Wayne Kerr, Assistant Director  
for State Agreements Program  
Office of State Programs