



PDR

UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION V

1480 MARIA LANE, SUITE 210
WALNUT CREEK, CALIFORNIA, 94586-5388

NOV - 2 1989

Docket No. 030-20387

License No. 50-23226-01

Swanson General Contractors, Inc.
11221 Olive Lane
Anchorage, Alaska 99515

Attention: Mr. Robert B. Swanson, Sr.
President and RPO

Gentlemen:

In regards to your letter dated July 16, 1989, which was received at the Region V Office on October 16, 1989, we have the following comments:

Item B of your letter dated July 16, 1989 takes exception to the violation of a person not using personnel dosimetry while a moisture density gauge was used during May 1 through May 30, 1988.

During the inspection on June 6, 1989, the inspectors were told by Mr. D. Jenson that the gauge had been used on Adak Island during the period of May 1-30, 1988 as documented in the inspector's field notes. Also, there was no film badge record to indicate that personnel dosimetry had been used during this period. If Mr. Jenson's information was in error, the violation will be withdrawn.

NRC Regulation 10 CFR 20.202(a)(1) provides that each licensee shall supply appropriate personnel monitoring equipment to and shall require the use of such equipment by each individual who enters a restricted area under such circumstances that he receives, or is likely to receive a dose in any calendar quarter in excess of 25 percent of the applicable value specified in paragraph (a) of Section 20.101.

Due to the potential for exceeding 25% of the allowed dose in the event of a broken or damaged gauge; the NRC Policy stipulates that users of moisture density gauges fall into this requirement.

Also, License Condition 16 incorporates your radiation safety program. Section 2.B.3 of the Radiation Safety Program stipulates, "When using the equipment, you will wear the personnel monitoring device that has been assigned to you. When you are not using the equipment your monitoring device is to be stored in the radiation free area that has been designated in the office."

During the inspection, Mr. R. Thomas explained to Mr. Jenson the reason for complete film badge records even though the badge may not have been used during certain periods. The film badge record is the legal record for those individuals assigned personnel dosimetry. A gap in the record or lack of

NOV - 2 1989

-2-

record may be subjected to a misinterpretation as to the individual's total radiation history. However, if you choose, it is acceptable to not have a personnel monitoring service during periods when the gauge will not be used. We strongly recommend that you do not choose this option since our experience indicates that when personnel monitoring badges are not available, the gauges are used without the use of a badge. Of course using the gauge without a personnel monitoring device would be a violation of a license requirement and 10 CFR 20.202(a)(1).

Prior to discontinuing your film badge service an amendment to your license is required to modify Section 2.B.3 of your Radiation Safety Program to describe how the requirement for personnel monitoring will be met. We suggest that prior to this action you determine how long it will take to restart the film badge service after it has been discontinued.

If you have any further questions regarding this matter we will be glad to discuss them with you.

Sincerely,


Robert J. Pate, Chief
Nuclear Materials Safety and
Safeguards Branch

NOV - 2 1989

-3-

bcc w/copy of ltr. dated 7/16/89:

Docket file
G. Cook
B. Faulkenberry
J. Martin
A. Johnson
State of Alaska

bcc w/o copy of ltr. dated 7/16/89:

M. Smith
J. Zollicoffer

REGION *veit*

RThomas/joan

2/12/89

AJohnson

11/12/89

RPate

11/12/89

REQUEST COPY]	REQUEST COPY]	REQUEST COPY]
YES / <u>NO</u>	YES / <u>NO</u>	YES / <u>NO</u>

SEND TO PDR]
<u>YES</u> / NO]

Wanson General
CONTRACTORS, INC.

July 16, 1989

Mr. Robert J. Pate, Chief
Nuclear Materials Safety and
Safeguards Branch
Nuclear Regulatory Commission
1450 Maria Lane, Suite 210
Walnut Creek, California 94596

Reply: NRC. 004

Re: Reply to Notice of Violation, License No: 50-23226-01

Dear Sir:

This letter is in reply to your letter dated June 23, 1989 regarding a recent routine safety inspection. I apologize for being unavailable during the inspection and hope our staff provided ample assistance to your inspectors. In response to your letter I offer the following:

Item A. Our records do indeed reflect that no entry was made on our Physical Inventory Sheet for the period July 1, 1988 and December 31, 1988. It appears that this was an oversight in view of the fact that we have a Shipping/Receiving document indicating we took possession of the gauge at our warehouse on August 2, 1988. Unfortunately, we failed to annotate our Physical Inventory at the same time.

In analyzing the above occurrence I believe the most probable cause can be found in the fact that we use the gauge very seldom. For example, this gauge was last used on a project during the March of 1988 and isn't scheduled for further use until August of this year, a period of 17 months. In the interim, the gauge is stored in the prescribed area within our warehouse or secured on the jobsite awaiting return transportation. As you can imagine, this leaves extended periods when the gauge is not readily visible and thus there is no tickler to remind us.

In an attempt to preclude further violation of this License Condition we have placed the Physical Inventory sheet on the door inside the room where the gauge is stored. This will prompt personnel to note the location of the gauge and record the information on the inventory sheet.

Item B. I take exception to this alleged violation. The statement in your letter suggest that we in fact had personnel using our gauge during the period of May 1, 1988 through May 30, 1988 while concurrently failing to provide a personal monitoring device. This is not true! At the time of this alleged incident the gauge was secured in our van CTR 264044 more than 500 miles from our nearest employee.

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Pg. 2, NRC. 004
July 16, 1989

As we pointed out above, this gauge was last used in March of that year for which we have a Dosimetry Report (attached) dated May 11, 1988. Admittedly, we did not maintain a personal exposure program for those periods in which the gauge was not used. We were unaware of, and at this writing cannot find any regulation that requires us to do so while the gauge is not in use. As Mr. Jensen pointed out, this would be difficult in view of the fact that much of the time our one operator is employed outside our organization.

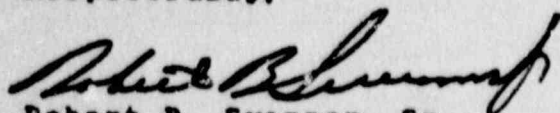
If in fact regulations require we maintain a monitoring program while the gauge is not in use we will simply continue to pay for an unused service and return the film badges unopened.

Item C We do not dispute this item. We have recently implemented a two step policy which will prevent further failure in this area. To insure a leak test is performed prior to use of the gauge we have included this item as a requirement in our Contractor Quality Control Program's preparatory inspection procedure. Preparation of site specific CQC Programs will alert management to insure a currency of leak test reports. The second step is to perform a leak test upon the conclusion of a contract and prior to placing the gauge into storage. A notice to this affect is posted inside the door of the storage facility.

Item D We have modified our existing sign to read CAUTION, RADIOACTIVE STORAGE AREA instead of the previous CAUTION, RADIATION AREA. It is of no consequence, but I must point out that you failed to acknowledge that a sign was in place at the time of the inspection. The violation should read that the posted sign read CAUTION, RADIATION AREA instead of the required CAUTION, RADIOACTIVE MATERIAL(S).

In closing, as I stated earlier, it is my belief that our failure to maintain perfect compliance can be found in the "out of site, out of mind" syndrome associated with our highly infrequent use of the gauge. We have been, and will continually strive to overcome this situation and comply with the numerous requirements that accompany ownership of this sealed source. Any suggestions or helpful hints that might assist in precluding further deficiencies would be most welcome. Should you have any questions or if I can be of any further assistance please do not hesitate to call.

Respectfully,



Robert B. Swanson, Sr.
President/RPO

Attachment(s) 1