



National Institutes of Health  
National Institute of  
Environmental Health Sciences  
P.O. Box 12233  
Research Triangle Park, N.C. 27709

November 16, 1989

U.S. Nuclear Regulatory Commission  
Document Control Desk  
Washington, D.C. 20555

Gentlemen:

This letter is in reply to the Notice of Violation (NRC Inspection Report No. 32-12358-01/89-01) dated November 1, 1989. Mr. Bermudez who conducted the inspection examined our records for leak testing of sealed sources. He found that on two occasions NIEHS had tested two sources and obtained results indicating greater than .005 microcurie of removable contamination.

The two sources in question were beta sources of less than 1 mCi each which were prepared in house for use in a NIEHS experimental study of the energy response of thermoluminescent dosimeters. Since the sources were stored and not in use, they were not subject to the required periodic leak test (License condition 12.A.(3)). However, as a conservative precaution, we chose to include them in our periodic survey of sealed sources. As soon as contamination was detected the sources were disposed of as radioactive waste. Since the sources had not been in use and there was no chance that contamination had spread or that personnel were affected, we did not interpret the regulations as requiring a report. It is clear that if a source is in use and leakage is detected, there is the potential for spread of contamination and that the incident would have to be investigated for possible personnel exposure. This was discussed with Mr. Bermudez at the time of the investigation. The records, however, did not specify if the sources were in use or not and we understand Mr. Bermudez's position.

In order to prevent this in the future, if any source, whether in use or stored, is tested and found to have 0.005 microcurie or greater of removable contamination, we will immediately withdraw the source from use, have it decontaminated and repaired or disposed of according to Commission regulations, and file a report within five days with the Nuclear Regulatory Commission. Full compliance with this policy is effective immediately.

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Please let me know if additional information or action is needed.

Sincerely,

*Philip E. Hamrick*

Philip E. Hamrick, Ph.D.  
Radiation Safety Officer

cc: Nuclear Regulatory Commission  
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Chairman, Radiation Safety Committee, NIEHS  
Director, Office of Occupational Health  
and Technical Services, NIEHS