

DEC - 6 1989

In Reply Refer To:  
License: 35-00313-03  
Docket: 30-05897/89-01

Phillips Petroleum Company  
Phillips Research Center  
ATTN: Charles F. Cook  
Vice President, Research  
and Development  
Bartlesville, Oklahoma 74004

Gentlemen:

This refers to the routine, unannounced radiation safety inspection conducted by Ms. L. L. Kasner of this office on November 2 and 3, 1989, of the activities authorized by NRC Byproduct Material License 35-00313-03, and to the discussion of our findings held by the inspector with members of your staff at the conclusion of the inspection.

This inspection consisted of a review of a broad materials license authorizing possession and use of any byproduct material with Atomic Numbers 1 through 83, sealed sources containing byproduct material with Atomic Numbers 4 through 83, hydrogen-3 sources, americium-241 sealed sources, and a specific quantity of natural uranium.

The inspection included an examination of the activities conducted under the license as they relate to radiation safety and to compliance with the Commission's rules and regulations and the conditions of the license. The inspection consisted of selective examinations of procedures and representative records, interviews of personnel, independent measurements, and observations by the inspector. The inspector met with several members of your staff including the Radiation Safety Officer (RSO), his assistant, selected members of the Radiation Safety Committee (RSC), and some of the researchers authorized to conduct activities under the license.

During this inspection, certain of your activities were found not to be conducted in full compliance with NRC requirements. Consequently, you are required to respond to this matter in writing, in accordance with the provisions of Section 2.201 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations. Your response should be based on the specifics contained in the Notice of Violation enclosed with this letter.

The inspector observed that generally, procedures governing the authorization of individual users and projects; and byproduct material receipt, use, and

RIV:NMIS<sup>RLC</sup> C:NMIS<sup>RLC</sup> ID:DRSS  
LLKasner CLCain VABeach  
12/1/89 12/1/89 12/4/89

IE-07  
11

posal appeared to be satisfactory and conducted in accordance with the conditions of the license. However, she noted that some training, audits, and records had not been performed or maintained as required.

Specifically, this inspection identified the failure of the RSO or RSC to recognize that material was possessed that was not authorized by the license. The RSO discussed with the inspector the intent to return the 30-millicurie plutonium-238 sealed source to the manufacturer. At that time the RSO was informed that alternatively, the license may be amended to request authorization to possess and use this source.

The inspector also identified failure to conduct program audits as described in the license. We believe that had program audits been conducted of the scope and depth described in your procedures, rather than relying on individual users to monitor their activities, some of the violations referenced herein could have been identified and corrected prior to the NRC inspection. We wish to emphasize that NRC expects licensees to conduct program audits that adequately identify and correct safety issues or items of noncompliance.

The inspector also reviewed the actions you had taken with respect to the violations observed during our previous inspection conducted on October 12, 1987. She verified that the corrective actions for these violations had been implemented as stated in your reply dated November 30, 1987.

The response directed by this letter and the accompanying Notice is not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

Should you have any questions concerning this letter, we will be pleased to discuss them with you.

Sincerely,

*Original Signed By:*

A. B. BEACH

A. Bill Beach, Director  
Division of Radiation Safety  
and Safeguards

Enclosure:

Appendix - Notice of Violation

cc:

Oklahoma Radiation Control Program Director

bcc: (see next page)

disposal appeared to be satisfactory and conducted in accordance with the conditions of the license. However, she noted that some training, audits, and records had not been performed or maintained as required.

Specifically, this inspection identified the failure of the RSO or RSC to recognize that material was possessed that was not authorized by the license. The RSO discussed with the inspector the intent to return the 30-millicurie plutonium-238 sealed source to the manufacturer. At that time the RSO was informed that alternatively, the license may be amended to request authorization to possess and use this source.

The inspector also identified failure to conduct program audits as described in the license. We believe that had program audits been conducted of the scope and depth described in your procedures, rather than relying on individual users to monitor their activities, some of the violations referenced herein could have been identified and corrected prior to the NRC inspection. We wish to emphasize that NRC expects licensees to conduct program audits that adequately identify and correct safety issues or items of noncompliance.

The inspector also reviewed the actions you had taken with respect to the violations observed during our previous inspection conducted on October 12, 1987. She verified that the corrective actions for these violations had been implemented as stated in your reply dated November 30, 1987.

The response directed by this letter and the accompanying Notice is not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

Should you have any questions concerning this letter, we will be pleased to discuss them with you.

Sincerely,

*Original Signed By:*

A. B. BEACH

A. Bill Beach, Director  
Division of Radiation Safety  
and Safeguards

Enclosure:  
Appendix - Notice of Violation

cc:  
Oklahoma Radiation Control Program Director

bcc: (see next page)

bcc:

DMB - Original (IE-07)

RDMartin

ABBeach

LAYandell

LShea, RM/ALF (AR-2015)

\*CLCain

\*RJEverett

\*LLKasner

\*NMIS

\*MIS System

\*RIV Files (2)

\*RSTS Operator

\*REHall, URFO

\*W/766