

JAN 31 1990

In Reply Refer To:  
License: 25-15247-01  
Docket: 030-08794/89-01

City of Great Falls - Montana  
Public Works Department  
ATTN: Jim Pierce, Engineer II  
P.O. Box 5021  
Great Falls, Montana 59403

Gentlemen:

Thank you for your letter of January 9, 1990, in response to our letter and attached Notice of Violation both dated November 9, 1989. We have reviewed your reply and find it responsive to the concerns raised in our Notice of Violation. We will review the implementation of your corrective actions during a future inspection to determine whether full compliance has been achieved and will be maintained.

Sincerely,

*Original Signed Copy*

A. B. BEACH

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

cc:  
Montana Radiation Control Program Director

bcc w/copy of licensee letter:

DMB - Original (IE-07)  
RDMartin  
ABBeach  
LAYandell  
GJackson, OC/LFMB (MS 4503)  
CLCain  
WLFisher  
SRajendran  
NMIS  
MIS System  
RIV Files (2)  
RSTS Operator

RIV:NMIS  
SRajendran:ch  
1/30/

C:NMIS:AC  
CLCain  
1/30/90

D:DRSS  
ABBeach  
1/31/90

9002120104 900131  
REG4 LIC30  
25-15247-01 PDC

IE-07  
1/1

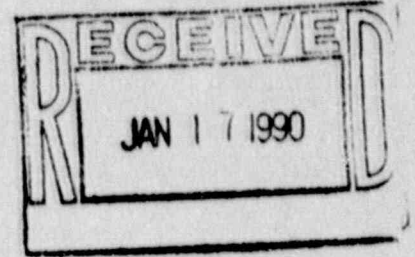


P.O. Box 5021, 59403-5021

Telephone 406 / 727-5881

January 9, 1990

Nuclear Regulatory Commission  
Region IV  
611 Ryan Plaza Drive, Suite 1000  
Arlington, Texas 76011



Attn: A. Bill Beach

Gentlemen:

I apologize for the delay in our response to your violation notice dated November 9, 1989. We are in the process of changing Radiation Safety Officers, and in the transition your 30 day response deadline was overlooked.

We have, in the past, been lax in the bracing of our nuclear densometers against shifting during transport as the Notice of Violation correctly states. The reason for this was initially our ignorance of the regulations, and most recently, a failure of some of our operators to recognize the importance of this requirement. We presently are storing our nuclear sources, and not using or transporting them, though we recently had them leak-tested. We presently have a wooden box that is bolted to the bed of one of our pickups designed to cover and secure gauges during transport. I have informed our operators that no gauges are to be transported without using this box. We expect to resume using the gauges by March 1, 1990.

In the interim, we also plan to amend our license to reflect several changes we would like to implement. First, we plan to remove Dale Clark as the Radiation Safety Officer and replace him with Jim Pierce. Second, we plan to relocate our nuclear gauges to a more convenient location. Lastly, we plan to decommission one of our two gauges.

New personnel will be operating the nuclear densometers this year, and we have taken steps to see that they are formally certified to operate the gauges.

If you require any more information or have any questions regarding this matter please call me at 406-727-5881 ext.433.

Sincerely,

Jim Pierce, Engineer II  
Public Works Department

JP:dmh

cc: Dale Clark  
Read File

IC-90-022

9001760092 JP

IE017

NOV - 9 1989

In Reply Refer To:  
License: 25-15247-01  
Docket: 030-08794/89-01

City of Great Falls - Montana  
Public Works Department  
ATTN: Stewart E. Pearson, P.E.  
P.O. Box 5021  
Great Falls, Montana 59403

Gentlemen:

This refers to the routine, unannounced radiation safety inspection conducted by Mr. Selvan Rajendran of this office on September 28, 1989, of the activities authorized by NRC Byproduct Material License 25-15247-01, and to the discussion of our findings held by the inspector with members of your staff at the conclusion of the inspection.

The inspection was 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.

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 also reviewed the actions you had taken with respect to five violations observed during our previous inspection conducted on June 12-13, 1985. He verified that corrective actions for all but one of these violations had been implemented. The violation which had recurred since the previous inspection is identified in the attached Notice.

We are concerned that your failure to take corrective actions as a result of the June 1985 inspection permitted this violation to reoccur. The NRC only observes a small sample of your routine activities and views seriously repeat violations that have been identified by the NRC. The NRC expects its licensees to promptly correct problems it has identified. Consequently, in your reply to this letter, you should describe those specific actions planned or taken to improve the effectiveness of the management control of your licensed operations, with particular emphasis on measures currently being taken to prevent further violations.

\*RIV:NMIS  
SRanjendran:lm  
/ /89

\*C:NMIS  
CLCain  
/ /89

W.D. DRSS  
W.A. BARNER  
11/7/89

\*Previously Concurred

89 11 30 152 200



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:  
Montana Radiation Control Program Director

bcc:  
DMB - Original (IE-07)  
RDMartin  
ABBeach  
LAYandell  
LShea, RM/ALF (AR-2015)  
\*CLCain  
\*RJEverett  
\*SRajendran  
\*NMIS  
\*MIS System  
\*RIV Files (2)  
\*RSTS Operator  
\*REHall, URFO

\*W/766

APPENDIX

NOTICE OF VIOLATION

City of Great Falls - Montana  
Public Works Department  
Great Falls, Montana

Docket: 030-08794/89-01  
License: 15247-01

During an NRC inspection conducted on September 28, 1989, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1989) (Enforcement Policy), the violation is listed below:

License Condition 16 requires that licensed material be transported in accordance with the provisions of 10 CFR 71.5. 10 CFR 71.5(a) requires, in part, that transportation of licensed material be made in accordance with the applicable requirements of the Department of Transportation in 49 CFR 170-189.

49 CFR 173.448(a) requires that each shipment of radioactive materials be braced in order to prevent shifting during normal transportation.

Contrary to the above, as of September 28, 1989, packages containing radioactive materials transported in licensee vehicles were not so braced to prevent shifting.

This is a repeat violation.

This is a Severity Level IV violation. (Supplement V)

Pursuant to the provisions of 10 CFR 2.201, City of Great Falls - Montana, Public Works Department, is hereby required to submit to this office, within 30 days of the date of the letter transmitting this Notice, a written statement or explanation in reply, including for each violation: (1) the reason for the violation if admitted, (2) the corrective steps which have been taken and the results achieved, (3) the corrective steps which will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending the response time.

Dated at Arlington, Texas,  
this 9th day of November 1989

89-11150156 2P