



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

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NRC
REGION V

Phoenix Area Indian Health Service
3738 N. 16th St. Suite A
Phoenix, Arizona 85016-5981

February 22, 1993 - 5 11 9: 58

Regional Administrator, Region V
United States Nuclear Regulatory Commission
1450 Maria Lane
Walnut Creek, California 94596-5368

RE: Reply to Notice of Violation
Docket No. 030-17788, License No. 02-19495-01

Regional Administrator:

This letter is in response to the above referenced Notice of Violation dated February 9, 1993. The violation detected by Mr. Prendergast in January 1993 involved the operation of a Troxler moisture-density gauge by two unauthorized individuals at the Tucson Area Indian Health Service in September and October, 1992.

1. Reason for violation: The Tucson Area Indian Health Service was operating the Troxler moisture-density gauge under the Phoenix Area license from July 27, 1992 through November 3, 1992. At the time that the gauge was transported to Tucson, written instructions regarding the use, transport, and storage of the gauge were provided to the Tucson staff, along with a list of authorized gauge operators. Four members of the Tucson staff were listed as authorized users. On September 10, 1992, two additional members of the Tucson staff successfully completed the Troxler Laboratories course on radiological safety and gauge operation. Their supervisor believed that attaining this certification was the only requirement necessary for them to operate the gauge and assigned them duties requiring use of the gauge. He failed to notify me of the two additional gauge operators or to request authorization from me. Had such a request been made and documentation of training provided to me, these two individuals would have been added to the authorized user list. The violation was a result of the supervisor failing to fully understand the license requirements, and of inadequate surveillance on my part to assure that all of my instructions were being followed.

2. Corrective steps which have been taken: The Tucson Area has subsequently obtained a separate NRC license, and the Phoenix Area moisture-density gauge has been returned to the Phoenix Area. A written reminder has been issued to all Phoenix Area engineers that only individuals authorized in writing by me will be allowed to operate moisture-density gauges. I have reviewed all of the gauge use logs for the past two years and have confirmed that no unauthorized users have operated the gauges except for the incidents identified in the Notice of Violation.

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3. Corrective steps which will be taken: The list of authorized gauge users will be updated routinely and distributed to all Phoenix Area engineers along with a written reminder that only the individuals on the list be allowed to operate the moisture-density gauges. Gauge use logs will be collected and reviewed quarterly to assure compliance.

4. Date full compliance will be achieved: Full compliance has now been achieved.

Please contact me if you need any additional information on this matter.



Samuel C. Bradshaw, P.E., Deputy Director
Division of Sanitation Facilities Construction
Office of Environmental Health and Engineering
Phoenix Area Indian Health Service

cc: U.S Nuclear Regulatory Commission
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