

Bigelow Laboratory for Ocean Sciences

McKown Point, West Boothbay Harbor, Maine 04575 207-633-2173
Telex 333024 (Bigelow)

April 22, 1992

Francis M. Costello/
Dick Ladun
Division of Radiation Safety and Safeguards
U.S. Nuclear Regulatory Commission
Region I
475 Allendale Road
King of Prussia, PA 19406-1415

Dear Sirs:

This letter is in response to our receipt of a Notice of Violation, Docket No. 030-10658, dated March 27, 1992.

I would, at this time, state the actions we have taken to correct the situation and to provide assurance that such circumstances will not arise in the future.

The reason the violation occurred in the first place was mainly due to a confusion of authority. Our Radiation Safety Officer of several years, Dr. Hilary Glover had recently left the laboratory. I was due to eventually replace her, pending approval by the N.R.C. Our Executive Director had given approval to do the experiments which led to the violation and in effect "went over the head" of the interim Radiation Safety Officer, who resigned as a result of this conflict and confusion of authority.

During the experiments, all appropriate safety measures were taken, including sign posting and before and after testing of the area. Later in the year, I became full-time Radiation Safety Officer and attended a week long professionally-taught course in Radiation Safety. After discussing the situation with my instructor, I was advised to make known the information to the N.R.C. during our next inspection, which I did.

Also during this time our Laboratory acquired a new Executive Director and a new Director for the Flow Cytometry Facility, where the violation occurred. After discussing the matter at length with both of them, I was assured that they would both co-operate to make sure that the laboratory would stay in compliance in the future.

I discussed the proper delegation of authority as a matter of Laboratory Policy and was assured that the Radiation Safety Officer would have absolute authority regarding matters of isotope use and safeguards and that that authority would be passed to a qualified person in the event of my leaving.

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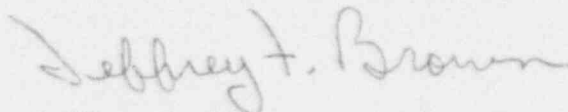
I discussed at length with the Flow Cytometry Facility Director the steps we would need to take if future experiments involving radionuclide use are to take place. We are currently in the process of moving the facility into the building that now houses our current Radiation Laboratory. We will present the plans for approval and apply for a license amendment before permitting any future work using radionuclides in this facility. The plans will include all necessary steps to insure worker safety and compliance with regulations.

In addition, I have discussed with the other radiation workers, the problem that occurred and measures to prevent similar problems in the future. Communication between all parties concerned is stressed, and I feel confident of cooperation from all of the workers at this laboratory. Workers and administration are also aware that visitors to the laboratory who will work with isotopes must first receive approval from the Radiation Safety Officer, and provide evidence of proper training, and must abide by our safety policies, receive additional training if necessary, and work under the direction and supervision of one of the scientists named on our license.

Notice of violation and response in the form of this letter is posted and is being brought to the attention of all radionuclide users and administrative staff and a permanent record kept on file.

Thank you for your assistance in our resolving this matter.

Sincerely,

A handwritten signature in cursive script that reads "Jeffrey F. Brown".

Jeffrey F. Brown
Radiation Safety Officer

JFB/mec