

DEPARTMENT OF THE ARMY

WOMACK ARMY MEDICAL CENTER FORT BRAGG, NORTH CAROLINA 28307-5000

9 November 1993

Health Physics Office

SUBJECT: Reply to a Notice of Violation

U.S. Nuclear Regulatory Commission Region II Attention: Regional Administrator 101 Marietta St. NW., Suite 2900 Atlanta, Georgia 30323

Dear Mr. Ebneter:

This letter is a reply to the Notice of Violation dated October 12, 1993. Please find enclosed (enclosure 1) the letter informing Womack Army Medical Center of the violations. Two violations were cited during the inspection conducted on September 22, 1993.

Pursuant to the provisions of 10 CFR 2.201 and the Notice of Violation, Womack Army Medical Center is required to address within 30 days for each violation:

- (1) the reason for the violation,
- (2) the corrective steps that have been taken and the results achieved,
- (3) the corrective steps that will be taken to avoid further violations, and
 - (4) the date when full compliance will be achieved.

These four points are discussed below for the two violations cited.

- A. Failure to test sealed sources for leakage (see enclosure 1 for a more detailed description of the violation).
- (1) There were two causes for this violation. We were conducting the leakage tests under the assumption that the tests were required semiannually, not every six months.

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August 19, 1993.

As indicated above, a leakage test was conducted on March 20, 1992 (enclosure 2), contrary to the finding that no leakage test was performed during the period of June 27, 1991 to June 16, 1992. It should also be noted that more sealed sources than those required by the NRC were tested.

- (2) The last leakage test was performed on August 19, 1993 (enclosure 3), which is within the last six months.
- (3) To ensure that this violation is not repeated, a checklist will be developed to prompt the performance of the leakage test at intervals not to exceed six months.
- (4) The next leakage test will be performed prior to February 19, 1994.
- B. Failure to conduct a proper and complete physical inventory of sealed sources (see enclosure 1 for a more detailed description of the violation).
- (1) An inventory was conducted on May 8, 1993 (enclosure 4); however, a 250 μ Ci Cs-137 calibration source was not included on the list. For a reason unknown, this source was lost from our electronic database file. Our quarterly seal 3d sources inventories routinely include all sealed sources, not just those required by the NRC.
- (2) The last sealed source inventory was conducted on August 19, 1993 (enclosure 5), which is within the previous quarter. The cesium source has since been added back to the database.
- (3) To prevent a recurrence of this violation, the working database list will be compared against a backup copy during the inventory process.
- (4) The next sealed source inventory will be conducted prior to December 31, 1993 (end of fourth quarter).

Please contact CPT Scott Dudevoir, Chief, Health Physics Office at (919) 432-3309/5667 or LTC Sue Abreu, Radiation Safety Officer at (919) 432-9887/9913 to advise as to requirements for further information or with any questions. Please note that the area code changes to 910 as of November 14, 1993.

Sincerely,

Harold L. Timboe Colonel, U.S. Army

Commanding

Enclosures

Copy Furnished:

NRC, Document Control Desk, Washington DC



UNITED STATES NUCLEAR REGULATORY COMMISSION REGION II 101 MARIETTA STREET, N.W., SUITE 2900 ATLANTA, GEORGIA 30323-0199

OCT 1 2 1993

Docket No. 030-02631 License No. 32-04054-04

Womack Army Medical Center

ATTN: HSXC-PM-RPO

COL Harold L. Timboe

Commander

Normandy Drive

Fort Bragg, NC 28307-5000

Gentlemen:

SUBJECT: NOTICE OF VIOLATION

(NRC INSPECTION REPORT NO. 32-04054-04/93-01)

This refers to the inspection conducted by J. Henson of this office on September 22, 1993. The inspection included a review of activities authorized for your fort Bragg, North Carolina facility. At the conclusion of the inspection, the findings were discussed with LTC C. Glazer, Chief, Clinical Services Division.

The inspection was an examination of activities conducted under your license with respect to radiation safety and compliance with NRC regulations and the conditions of your license. It included selective examinations of procedures and representative records, interviews with personnel, and direct observations by the inspector.

Based on the results of this inspection, certain of your activities appeared to be in violation of NRC requirements, as specified in the enclosed Notice of Violation (Notice). In addition, the inspector identified activities that violated NRC requirements that will not be subject to enforcement action because the licensee's efforts in identifying and/or correcting the violations meet the criteria specified in Section VII.B of the Enforcement Policy. The non-cited violations included the failure to test the dose calibrator linearity down to 10 microcuries, to include all the required information in records of contamination surveys and decay-in-storage waste disposals, and to post some documents as required by 10 CFR 21.6. These items were discussed with LIC Glazer during the meeting at the conclusion of the inspection.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

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In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and any reply will be placed in the NRC Public Document Room.

The responses directed by this letter and the enclosed Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, Pub. L. No. 96-511.

Should you have any questions concerning this letter, please contact us.

Sincerely,

Douglas M. Collins, Chief Nuclear Materials Safety and

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Safeguards Branch

Division of Radiation Safety and Safeguards

Enclosure: Notice of Violation

cc w/encl: State of North Carolina ENCLOSURE

NOTICE OF VIOLATION

Womack Army Medical Center Fort Bragg, North Carolina

Docket No. 030-02631 License No. 32-04054-04

During an NRC inspection conducted September 22, 1993, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the violations are listed below:

10 CFR 35.59(b)(2) requires, in part, that a licensee in possession of a A. sealed source test the source for leakage at intervals not to exceed six months or at other intervals approved by the Commission or an Agreement State.

Contrary to the above, the licensee did not test its two sealed sources containing a nominal activity of 250 microcuries of cesium-137 and 250 microcuries of barium-133 for leakage between June 27, 1991, and June 16, 1992, June 16, 1992 and January 5, 1993, and January 5 and August 19, 1993, intervals in excess of six months, and no other interval was approved by the Commission or an Agreement State.

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

8. 10 CFR 35.59(g) requires, in part, that a licensee in possession of a sealed source or brachytherapy source conduct a quarterly physical inventory of all such sources in its possession.

Contrary to the above, the licensee did not conduct a physical inventory of its two sealed sources containing a nominal activity of 250 microcuries of cesium-137 and 250 microcuries of barium-133 from March 27 to August 19, 1993, a period in excess of a calendar quarter.

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

Pursuant to the provisions of 10 CFR 2.201, Womack Army Medical Center is hereby required to submit a written statement or explanation to the Regional Administrator, Region II, with a copy to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the "esults achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, an order or demand for information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Dated at Atlanta, Georgia This IZD day of October 1993

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Womack Army Community Hospital Fort Bragg, North Carolina 28307-5000

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