

APPENDIX A
NOTICE OF VIOLATION

Department of the Army
Watertown, Massachusetts 02172-0001

Docket Nos. 030-04593
040-02253
License Nos. 20-01010-04
SUB-238

As a result of the inspection conducted on July 23, 24, and 25, 1990, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (Enforcement Policy) (1990), the following violations were identified:

- A. 10 CFR 20.207(a) requires that licensed materials stored in an unrestricted area be secured from unauthorized removal from the place of storage. 10 CFR 20.207(b) requires that licensed materials in an unrestricted area and not in storage be under constant surveillance and immediate control of the licensee. As defined in 10 CFR 20.3(a)(17), an unrestricted area is any area access to which is not controlled by the licensee for purposes of protection of individuals from exposure to radiation and radioactive materials.

Contrary to the above, on July 24, 1990, licensed material stored in the depleted uranium melting room was neither secured against unauthorized removal nor under the constant surveillance and immediate control of the licensee.

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

- B. Condition 15 of License No. 20-01010-04 requires that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in a letter dated January 30, 1989, with attachments.

- 1) Item 6(d) of the Radiation Protection Program and Policy Manual included with this letter requires that all personnel who may be occupationally exposed to ionizing radiation will wear film badges.

Contrary to the above, on July 24, 1990, a radiation worker was observed not wearing a film badge or other type of personnel dosimetry while in a restricted area.

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

- 2) Item 4(b) of the Californium-252 Facility Safety Manual included with this letter requires that all individuals working in this facility wear whole body film badges and self-reading pocket dosimeters.

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Contrary to the above, on July 23, 1990, a researcher in the californium-252 facility and the Radiation Protection Officer stated that self-reading pocket dosimeters were not worn by personnel in the californium-252 facility.

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

- 3) Item 6(b) of the Californium-252 Facility Safety Manual included with this letter requires that in addition to an area monitor, at least one neutron and one beta-gamma survey monitor be available to experimenters.

Contrary to the above, as of July 23, 1990, the area monitor in the californium-252 facility was broken and had not been repaired.

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

- 4) Item 6(e) of the Radiation Control Committee Manual included with this letter requires that the committee chairman assign serial numbers and sign two copies of applications for byproduct material use that have been reviewed and approved by the Committee.

Contrary to the above, an application for byproduct material use approved in June 1989 was not signed nor was it assigned a serial number by the Committee Chairman.

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

- 5) Items 9(a) and (b) of the Radiation Control Committee Manual included with this letter require that the Radiation Protection Officer and individual users of radioactive material authorized by the Committee, maintain log books and/or inventories of radioactive material in their possession.

Contrary to the above, as of July 23, 1990, records indicated that the Radiation Protection Officer and one researcher did not maintain current inventories or log books of radioactive material in their possession.

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

- C. 10 CFR 19.12 requires that all individuals working in or frequenting any portion of a restricted area shall be instructed in the health protection problems associated with exposure to such radioactive material or radiation and in the precautions or procedures to minimize exposure.

Contrary to the above, as of July 24, 1990, two security officers who frequent restricted areas stated that they had not been provided the required instruction.

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

- D. Condition 16 of License No. SUB-238 requires that licensed material be possessed and used in accordance with the statements, representations, and procedures contained in a letter dated November 18, 1988, with attachments.

Item 12.b. in the Radiation Protection - Program and Policy, Enclosure (2) to this letter, requires that the Radiation Safety Staff perform and record quarterly radiation surveys in all areas in which sources of radiation are used and/or stored.

Contrary to the above, as of July 24, 1990, records of surveys in the depleted uranium storage area were not available for the period May 1989 through May 1990.

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

Pursuant to the provisions of 10 CFR 2.201, Department of the Army, Materials Technology Laboratory is hereby required to submit to this office within thirty days of the date of the letter which transmitted this Notice, a written statement or explanation in reply, including: (1) the corrective steps which have been taken and the results achieved; (2) corrective steps which will be taken to avoid further violations; and (3) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending this response time.