



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

MAR 11 1994

License: 25-15091-01
Docket: 030-08557

Department of the Interior
Bureau of Indian Affairs
ATTN: Sherman E. Oland
Radiation Safety Officer
316 North 26th Street
Billings, Montana 59101

SUBJECT: RESPONSE TO NRC INSPECTION REPORT 030-08557/94-01

Thank you for your letter of February 22, 1994, in response to our letter and Notice of Violation dated January 31, 1994. We have reviewed your reply and find it responsive to the concerns raised in our Notice of Violation.

In Item 2 of your response, you indicate that the Radiation Safety Officer's (RSO) duties and responsibilities have been transferred to another individual in your office. The performance of the RSO's tasks may be delegated to another individual and subsequently reviewed by the RSO designated by the licensee, but we must emphasize that the designated RSO is responsible for the overall effectiveness and compliance with the Commission's rules and regulations and the conditions of your license. If you intend to designate a new RSO, you are reminded that it is necessary to request amendment of the license to authorize a replacement RSO.

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,

Charles L. Cain, Chief
Nuclear Materials Inspection Branch

cc:
Montana Radiation Control Program Director

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PDR ADOCK 03008557
C PDR

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Department of the Interior
Bureau of Indian Affairs

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bcc w/copy of licensee letter:
DMB - Original (IE-07)
LJCallan
SJCcollins
RAScarano, DRSS/RIV
LWCamper
MMessier, OC/LFDCB (4503)
WLFisher
CLCain
RALeonardi
NMIB
MIS System
RIV Files (2)

RIV:NMIB <i>ROT</i>	C:NMIB <i>me</i>			
RALeonardi	CLCain			
03/09/94	03/10/94			

Department of the Interior
Bureau of Indian Affairs

-2-

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RIV Files (2)

RIV:NMIB <i>ROT</i>	C:NMIB <i>SLC</i>			
RALeonardi	CLCain			
03/09/94	03/10/94			

Engineering
Code 260

FEB 28

FEB 22 1994

U.S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, D.C. 20555

Dear Sirs:

This is in response to a letter dated January 31, 1994, and Notice of Violation. Docket No. 030-08557 for non-compliance with License Condition 12.A.1, License No. 25-1509101:

1. One reason the 10 sealed sources were not tested at the 6 month interval prescribed in the license, was largely due to field personnel at the Bureau of Indian Affairs agency offices on the seven reservations in the Billings Area not complying with a policy memorandum and reminders sent at least annually.

The second reason is that the Radiation Safety duties were collateral duties of both the Radiation Safety Officer, and a clerical assistant. Due to work load, the tracking of the leak testing and follow-up action, when testing was not done, has not been fully accomplished.

2. A full review of the leak testing program has been done. All agencies without a current leak test on file for their gauge have been ordered to conduct a test, and forward a copy of the results to the Billings Area Engineering Office.

The Radiation Safety Officer's duties and responsibilities have been transferred to another Engineer in the office, and the clerical duties transferred to a different position. Oversight will be provided by current Radiation Safety Officer until training is completed.

The results are anticipated to be improved tracking by individuals with more time to perform the duties.

3. Disciplinary action is going to be taken for future failure to comply with policy and license requirements.

A checklist will be maintained to ensure leak testing is done at proper intervals.

A specific individual is being made responsible for leak testing at each field office.

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4. All current tests required will be completed by February 28, 1994. The new Radiation Safety Officer will attend training presented by Troxler on March 17, 1994, in Seattle, Washington, and intends to become certified.

The Supervisory Highway Engineer and Radiation Safety Officer intend to meet with Mr. Richard A. Leonardi, Jr., on his next visit to Montana to review Part 20 requirements for sealed source storage and personnel radiation exposure monitoring and record keeping.

It should be noted the Troxler testing devices were all new in April of 1991, and have not been damaged in any way. One model 3440 density gauge has been in continuous storage in the designated site at the Billings Federal Building. This gauge was purchased as a spare that has not been needed to date.

Leak tests performed on these or previously owned sealed source Troxler gauges have always had negative reports.

The license requirements were not fully met; however, we are confident safety has not been compromised.

Should you have any questions, please contact Mr. Sherman E. Oland, Supervisory Highway Engineer, at (406) 657-6675.

Sincerely,

Joseph Gourneau

Acting

Area Director, Billings Area

cc: Regional Administrator, Region IV
611 Ryan Plaza Drive, Suite 400
Arlington, Texas 76011-8064

SURNAME	DATE
Sec	
RDK	AK
SEO	SEO 7/17/90
CSR	
200	SP 7/17/90
100	LOW 7/17/90

DATE: JUL 18 1990

REPLY TO
ATTN OF: Support Services, Branch of Engineering, Code 250

SUBJECT: Nuclear Gauge Requirements

TO: All Superintendents, Billings Area

FROM: Billings Area Director

The Nuclear Regulatory Commission (NRC) conducted a surprise inspection at the Area Engineering Office on June 25, 1990. The inspector found at least four violations of our license requirements. These were related to:

1. Inventory and leak test intervals;
2. Not carrying shipping papers within reach of the operator of a vehicle transporting a nuclear gauge;
3. Not posting NRC Form 3 at the Billings Area Office storage cage;
4. The Landauer Film Badge Reports not having social security numbers and dates of birth for all the badge users.

Please be reminded of the following "Conditions" of the NRC license granted to the Billings Area: No. 12.B. "Any source in storage and not being used need not be tested. When the source is removed from storage for use or transfer to another person it shall be tested before use or transfer." No. 15. "The licensee shall conduct a physical inventory every 6 months to account for all sources and /or devices received and possessed under the license. Records of inventories shall be maintained for two years from the date of each inventory".

Because of the difficulty encountered with maintaining current inventory and leak test records at the Billings Area Office, we will change our procedures.

Effective immediately, all nuclear gauges will have a leak (wipe) test performed in January and July of each year. This will also serve as the required 6 month inventory record. A copy of the analysis results must be sent to the Area Engineering Office by January 30 and July 31 of each year. If you have performed a leak test within the last 30 days your next test will be due January 2, 1991, if not, do one now.

The Area Radiation Protection Officer must be notified before any nuclear gauge is shipped out of the area.

We need the following:

1. A copy of your last leak test analysis;
2. A copy of your gauge "Log Sheet" completed with last "In service", "Out Service," and "Inventory Verified" dates;
3. To update our personal radiation exposure records, you must provide the Area Engineering Office with social security numbers and birth dates for film badge users from your agency. A copy of our last dosimeter report is provided for your use.

This information is to be returned to the Billings Area Engineering Office, Attention: Radiation Protection Officer, by July 20, 1990.

In the near future we will be providing you with a plastic laminated shipping document for use when transporting your gauge.

If you have any questions, please contact Mr. Sherman E. Oland, Supervisory Highway Engineer, at (406) 657-6308.

Richard C. Whitesell

Attachment