



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV

611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011 8064

MAR 14 1994

Docket: 030-10103
License: 25-15963-01

State of Montana
Department of Health
and Environmental Sciences
ATTN: Adrian Howe, Director
1400 Broadway
Helena, Montana 59620

SUBJECT: NRC INSPECTION REPORT 030-10103/94-01 (NOTICE OF VIOLATION)

This refers to the routine, unannounced inspection conducted by Messrs. William H. Radcliffe and Gilbert L. Guerra, Jr., of this office on February 9, 1994. The inspection included a review of activities authorized by Byproduct Materials License 25-15963-01. At the conclusion of the inspection, the findings were discussed with members of your staff.

The inspection was an examination of activities conducted under the license as they relate to radiation safety and to compliance with the Commission's rules and regulations and the conditions of the license. The inspection consisted of selective examinations of procedures and representative records, interviews of personnel, independent measurements, and observation of activities in progress.

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).

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.

The inspectors observed that the Department of Health and Environmental Sciences primarily used a 200-millicurie cesium-137 source for instrument calibrations and iodine-125 for in-vitro studies. They noted that a review of the commitments made during the licensing process and of the revised 10 CFR Part 20 would be beneficial in preventing the occurrence of any further violations of NRC requirements.

Also reviewed were the actions you had taken with respect to the violations observed during our previous inspection conducted on October 30, 1989. The inspection verified that the corrective actions for the violation had been

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bcc:
 DMB - Original (IE-07)
 LJCallan
 DDChamberlain
 LWCamper
 RAScarano DRSS/RIV
 MMessier, OC/LFDCB (4503)
 *WLFisher
 *CLCain
 *WHRadcliffe
 *GLGuerra
 *NMIB
 *MIS System
 *RIV Files (2)

 *W/IFS Form

RIV:NMIB <i>GL</i>	NMIB <i>GL</i>	C:NMIB <i>GL</i>	AD:DRSS <i>GL</i>	
WHRadcliffe:nh	GLGuerra	CLCain	DDChamberlain	
2/22/94	2/22/94	3/9/94	3/13/94	

State of Montana

-2-

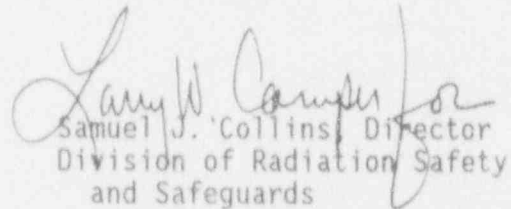
implemented as stated in your reply dated November 13, 1989, and that these actions were effective.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosure 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 the inspector identified above at (817) 860-8100.

Sincerely,


Samuel J. Collins, Director
Division of Radiation Safety
and Safeguards

Enclosure:
Appendix - Notice of Violation

cc:
Montana Radiation Control Program Director

bcc:

- DMB - Original (IE-07)
- LJCallan
- DDChamberlain
- LWCamper
- RAScarano DRSS/RIV
- MMessier, OC/LFDCB (4503)
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*W/IFS Form

RIV:NMIB <i>GLG</i>	NMIB <i>GLG</i>	C:NMIB <i>GLG</i>	AD:DRSS <i>GLG</i>	
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