

Enclosure 1

NOTICE OF VIOLATION

University of Michigan
Ann Arbor, Michigan

License No. 21-00215-04
Docket No. 030-01988

During an NRC inspection conducted from February 11 through March 4, 1994, 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:

1. Conditions 22.A. and 22.B of License No. 21-00215-04 require, in part, the licensee to conduct its program in accordance with the statements, representations, and procedures contained in the May 24, 1988 application, and the letters dated June 11, 1990, July 16, 1992, and February 19, 1993.

- A. Item 2.0 of the June 11, 1990, letter requires that audit surveys of laboratories actively using unsealed radioactive material be conducted at least once per quarter by Radiation Safety Service.

Contrary to the above, from October 1992 through June 1993, audit surveys of laboratories actively using unsealed radioactive material in the Dental and North Ingalls Buildings were not conducted by the Radiation Safety Service.

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

- B. Attachment 1.0, page 7 of the letter dated February 19, 1993, requires, in part, that continuous breathing zone air sampling be conducted to assess potential radionuclide intake during collection, handling and disposal of incinerator ash.

Contrary to the above, continuous breathing zone air sampling was not conducted during collection and handling of incinerator ash on June 28, 1993.

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

- C. Attachment 1.0, Item 1.2, of the letter dated July 16, 1992, names the individuals serving on the Radiation Policy Committee.

Contrary to the above, as of February 18, 1994, persons other than those named are serving as members of the Radiation Policy Committee and the licensee failed to obtain a license amendment authorizing the membership changes prior to implementing the changes.

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

2. 10 CFR 19.12 requires, in part, that all individuals working in a restricted area be instructed in precautions and procedures to minimize exposure to radioactive materials, in the purpose and functions of protective devices employed, and in the applicable provisions of the Commission's regulations and licenses.

Contrary to the above, as of February 14, 1994, individuals who were working in restricted areas throughout the licensee's facilities, had not been instructed in the applicable provisions of the regulations and the conditions of the license. Specifically, the licensee failed to instruct workers in the applicable provisions of 10 CFR Part 20 that became effective on January 1, 1994.

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

3. 10 CFR 30.35(g) requires, in part, that each licensee shall keep records of information important to the safe and effective decommissioning of the licensee's facilities in an identified location until the license is terminated by the Commission. If records of relevant information are kept for other purposes, reference to these records and their locations may be used.

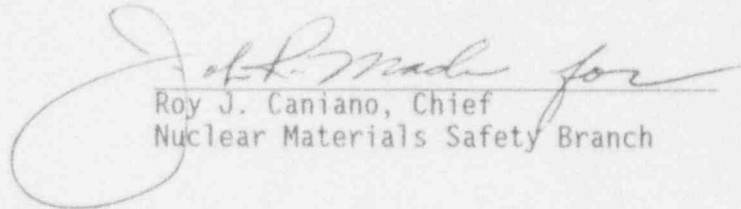
Contrary to the above, as of February 14, 1994, the licensee did not keep records of information important to the safe and effective decommissioning of the licensee's facilities in an identified location nor did the licensee refer to other relevant records and their locations. Specifically, the licensee failed to identify records important to the safe and effective decommissioning of the licensee's facilities and failed to list in a single document the location of areas as required by 30.35(g)(3).

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

Pursuant to the provisions of 10 CFR 2.201, University of Michigan is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, Region III, 801 Warrenville Road, Lisle, Illinois, 60532, 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 results 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 a 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.

3/28/94
Dated


Roy J. Caniano, Chief
Nuclear Materials Safety Branch

ENCLOSURE 2

SUMMARY OF CONCERNS

During the inspection conducted from February 14 through March 4, 1994, your corrective actions for three concerns identified during the February 11 through 28, 1993, inspection were evaluated. These areas were previously described in the Notice of Violation dated March 16, 1993, and you described your corrective actions in letters dated April 13 and July 28, 1993. We noted the following:

1. Training Program (previously identified during the 1993 inspection).

Your commitment to prepare and issue procedures to Authorized Users to provide guidance on training laboratory personnel by September 1, 1993, was not met. As of March 1, 1994, procedures or guidance were not yet provided to Authorized Users on conducting radiation safety training for individuals who use byproduct material under their supervision. We understand that procedures were drafted but that the program has not yet been implemented. We are concerned that your corrective actions have not been timely.

2. Audit Program (previously identified during the 1993 inspection).

The previous concern addressed, in part, the issue that the performance of the RSS staff (including individuals who perform lab audits, waste handling, dosimetry, etc.) is not audited or reviewed by the RSO. In your letter dated April 13, 1993, you stated that a program would be initiated by September 1, 1993, which would include an annual audit of health physicists, technicians, dosimetry coordinator and secretary. During this inspection it was noted that this audit program has not been implemented as of February 14, 1994. We are concerned that corrective actions for this area have not yet been initiated. Therefore, in your response, please describe how you will budget your time so as to ensure that your commitment is fulfilled on a more timely basis.

3. Conditional Approval of Authorized Users (identified during 1994 inspection)

The Radiation Policy Committee grants conditional approvals for authorized users and research projects. These conditional approvals grant authorization for a researcher to receive and use radioactive material provided that certain radiation safety conditions are met first, such as, obtaining training or a survey meter. We are concerned that the radiation safety staff does not verify that the authorized user has met the special conditions of the approval before he is allowed to order and use radioactive material. Therefore, the licensee cannot assure that safe working conditions are present in these laboratories.