

DEPARTMENT OF
HEALTH AND ENVIRONMENTAL SCIENCES

OCCUPATIONAL AND RADIOLOGICAL HEALTH BUREAU

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March 30, 1994

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

"Reply to Notice of Violation"

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

Dear Sirs:

The following is the Montana Department of Health and Environmental Sciences' response to the Notice of Violation issued pursuant to the February 9, 1994 inspection of License # 25-15963-01.

Item A-1

Reason for violation: Contamination surveys had been conducted monthly in the past, in the Microbiology laboratory. Previous reviews by the RSO and NRC inspections failed to identify this violation.

Corrective Steps Taken and Results Achieved: Since notification of violation, radiation safety program requirements have been instituted by the operating unit to include daily contamination surveys and appropriate record keeping. Compliance is complete at this time.

Item A-2

Reason for Violation: The calibration frequency was extended due to increased staff workload. During this period the commitment for calibrations at least every 6 months contained in the license application was overlooked and not modified.

Corrective Action Taken: Calibrations will occur at least every 6 months until such time as a license amendment is approved in the future to allow for annual calibrations. Compliance is complete at this time.

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Item B

Reason for Violation: The commitment to store and ship waste for disposal by land burial contained in the April 23, 1990 license application refers to radioactive sources with relatively long half-lives confiscated, collected or generated by the Department's Radiation Control Program. During previous NRC inspections, the I-125 waste disposal was discussed (disposal as normal trash after no detectable levels observed), DHES was not notified that the procedure was in violation.

Corrective Action Taken: A waste inventory has been instituted for storage of the I-125 waste. This waste will be stored pending a future license amendment which will allow storage for decay. It is anticipated that the amendment application will be submitted by August, 1994.

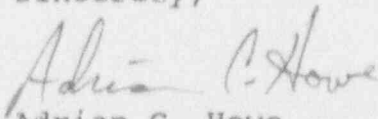
Item C

Reason for Violation: Surveys referred to were completed in the past, however the documentation could not be located. It is assumed that this documentation was inadvertently purged.

Corrective Action To be Taken: The surveys and calculations are currently being performed and are expected to be completed with full documentation by June 1, 1994. The files will be maintained only by the RSO.

Please contact me, if I may provide further information regarding the DHES radiation safety program.

Sincerely,



Adrian C. Howe
Bureau Chief
RSO

ACH:ld

cc: Joseph L. Callan, Regional Administrator
U.S. Nuclear Regulatory Commission, Region IV