

MONTANA TECH

Butte, Montana 59701
(406) 496-4129



Office of the President

October 26, 1990

Dr. Jack E. Whitten
Senior Health Physicist
Nuclear Materials Licensing Section
U.S. Nuclear Regulatory Commission, Region IV
611 Ryan Plaza Drive, Suite 1000
Arlington, Texas 76011

Dear Dr. Whitten:

After discussions with senior administrative personnel and the Montana Tech Radiation Safety Officer, I am herewith formally committing Montana Tech to develop and maintain a radiation safety program. The program will include the use of current staff and an operating budget for a Radiation Safety Office which will be an integral part of the Radiation Safety Officer's facility. We have established a Radiation Safety Committee to handle all facets of radiation related to research and instruction in Montana Tech programs.

The Radiation Safety Committee, which is responsible for developing and updating policies concerning radiation protection and safety, will report directly to the Director of the Montana Bureau of Mines and Geology. The Radiation Safety Officer is charged with the implementation of such policies and maintaining appropriate records in accordance with federal, state and local regulations.

Enclosed are statements of the recent Montana Tech policy concerning ionizing radiation, scope of the radiation safety program, and a chart of responsible parties in the program. I look forward to the enhancement of our overall capability through the continued growth of this important program.

Sincerely,

Lindsay D. Norman
President

LDN:jm
Enclosures

cc: Division Heads
Radiation Safety Program Personnel
John A. Hintz
Charles A. Nelson
Lindsay Hess

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POLICIES AND IMPLEMENTING REGULATIONS

Radiation Safety Program

University Policy Concerning Ionizing Radiation

The President of Montana Tech (MT), recognizing the usefulness of ionizing radiation in the teaching and research missions of the Montana University System, directs that possession and use of radioisotopes and radiation-emitting machines be optimized at MT facilities and by MT personnel. This shall be accomplished while insuring that:

- a. applicable laws and regulations of federal, state and local agencies are not violated;
- b. no risk from ionizing radiation shall be incurred except where justified by benefits from the activity;
- c. radiation exposure shall be maintained As Low As Reasonably Achievable, all aspects considered.

The President has delegated to the Director of the Montana Bureau of Mines and Geology (MBMG) the responsibility for maintaining a radiation safety program adequate to ensure compliance with this policy.

Scope of the Radiation Safety Program

The MT Radiation Safety Program applies to all locations under MT control wherein radioisotopes or radiation-producing machines are used or stored, regardless of ownership or the location. It applies to all persons working at or frequenting these locations, regardless of their relationship with Montana Tech. The program is administered by the Radiation Safety Office (RSO) through the Montana Tech Radiation Safety Committee.

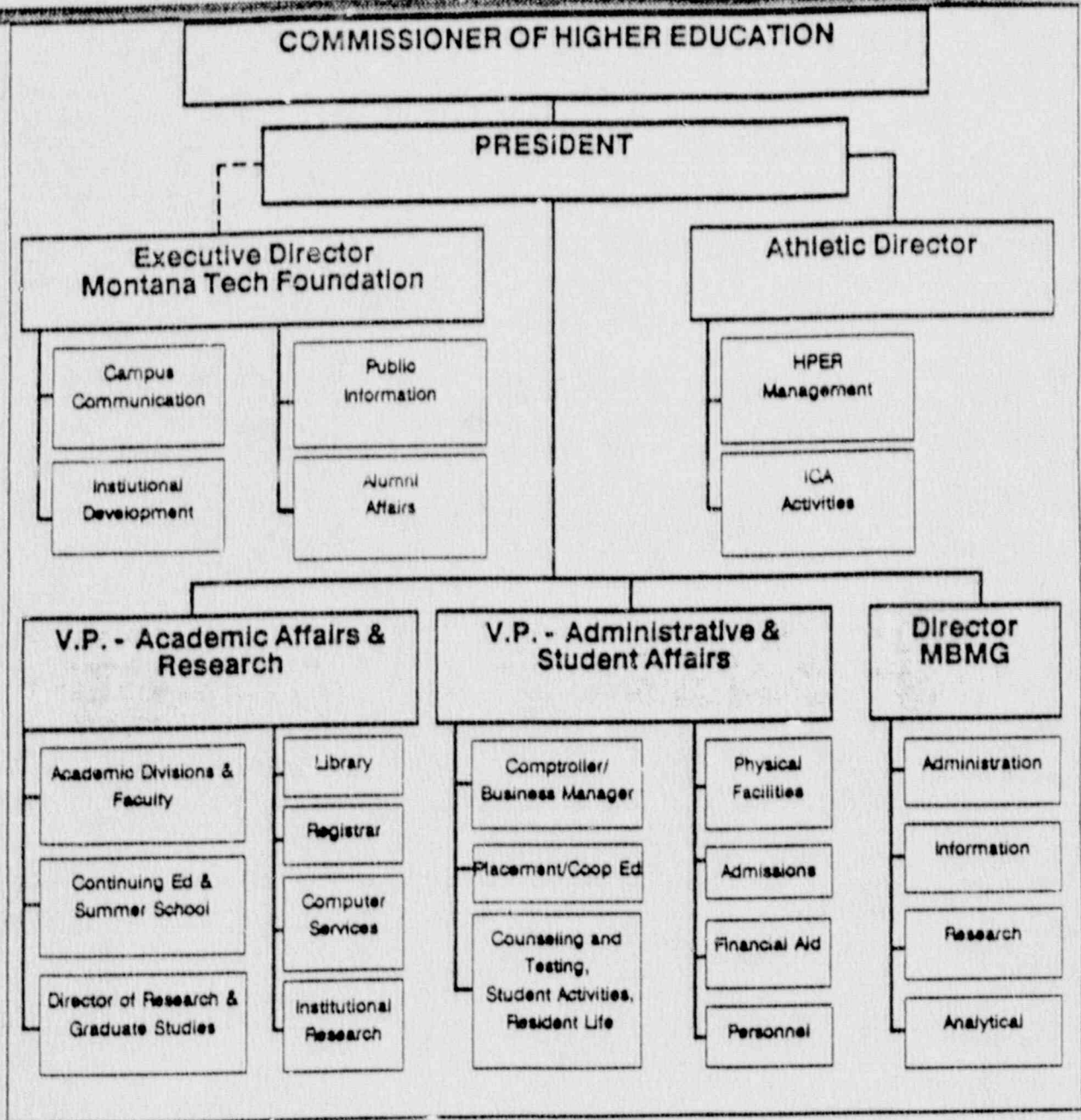
Montana College of Mineral Science and Technology

Radiation Safety Program

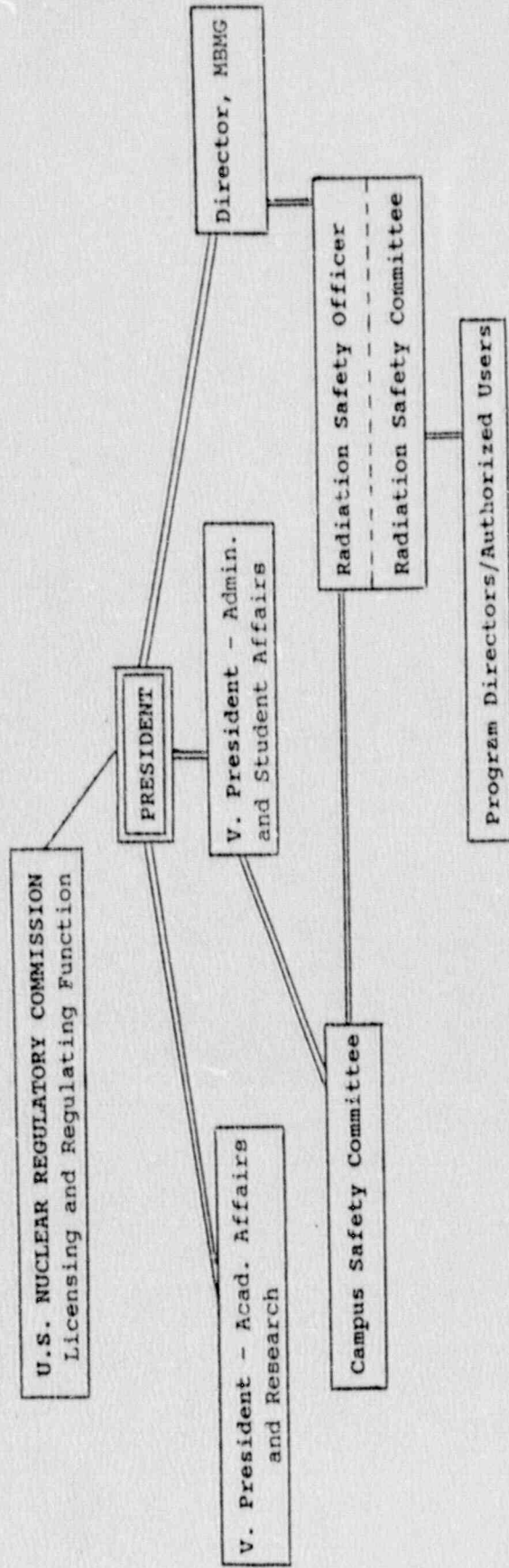
Lindsay D. Norman, Ph.D.	President
David L. Toppen, Ph.D.	Vice President for Academic Affairs and Research
John A. Hintz, Ph.D.	Vice President for Administrative and Student Affairs
Edward T. Ruppel, Ph.D.	Director of Montana Bureau of Mines and Geology; State Geologist
Scott S. Hughes, Ph.D.	Radiation Safety Officer; Assistant Professor; Chief of Analytical Division, MBMG
Edward F. Ayers, M.B.A., P.E.	Director of Physical Facilities

Radiation Safety Committee

Patrick McCarthy, B.S.	Staff Engineer, Physical Facilities; Hazardous Waste Coordinator
Thomas S. Moon, Ph.D.	Assistant Professor, Physics
Julie Norman, M.P.H.	Associate Professor, Occupational Safety and Health
Paul D. O'Leary, B.S.	Adjunct Instructor, Director of Engineering Science Labs
Stephen R. Parker, M.S.	Adjunct Instructor, Director of Chemistry Labs
Fred A. Schmidt, B.S.	Hydrogeologist, MBMG



MONTANA TECH RADIATION SAFETY PROGRAM
Organizational Chart





UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV
611 RYAN PLAZA DRIVE, SUITE 1000
ARLINGTON, TEXAS, 76011

NOV 2 1990

License No. 25-15640-01
Docket No. 030-09501/90-01

MBMG - MCMST
DIRECTOR'S OFFICE

NOV 9 1990

Montana Bureau of Mines
and Geology
Montana College of Mineral Science
and Technology Foundation
ATTN: Edward T. Ruppel, Director
West Park Street
Butte, Montana 59701

Forward:

Copy: _____

Gentlemen:

This refers to the routine, unannounced radiation safety inspection conducted by Mr. R. A. Leonardi, Jr. of this office on October 11-12, 1990, of the activities authorized by NRC Byproduct Material License No. 25-15640-01, and to the discussion of our findings held by the inspector with members of your staff at the conclusion of the inspection.

The inspection was an examination of the 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 observations by the inspector.

During this inspection, certain of your activities were found not to be conducted in full compliance with NRC requirements. Consequently, you are required to respond to this matter in writing, in accordance with the provisions of Section 2.201 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations. Your response should be based on the specifics contained in the Notice of Violation enclosed with this letter.

Although only one minor violation was identified at the time of the inspection, the inspector identified several concerns during the course of the inspection based on interviews with radiation safety program personnel and inspector observations.

One concern involved the licensee's pending license renewal application. The licensee should consider amending its current license renewal application to change the designated licensee from the Montana Bureau of Mines and Geology (MBMG) to Montana College of Mineral Science and Technology Foundation (Montana Tech) to more appropriately identify the licensed entity. Related to the above consideration is the NRC's concern regarding the adequacy of the commitment made by Montana Tech administration towards its radiation safety program in the areas of financing and staffing.

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Additionally, the inspector identified several sealed sources that had been in storage for several years without definitive plans for their future use. The licensee should consider the transfer or disposal option for these unused sealed sources in order to reduce the inventory and monitoring efforts needed to maintain such an inventory of sources.

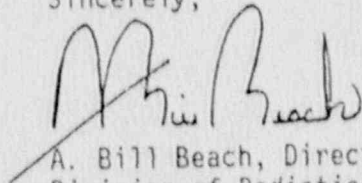
We encourage you to consider the above radiation safety program concerns, although no response to these matters is required.

In accordance with 10 CFR 2.790 of the Commission's regulations, a copy of this letter, the enclosures, and your response to this letter will be placed in the NRC Public Document Room.

The response directed by this letter and the accompanying Notice is not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

Should you have any questions concerning this letter, we will be pleased to discuss them with you.

Sincerely,



A. Bill Beach, Director
Division of Radiation Safety
and Safeguards

Enclosure:
Appendix - Notice of Violation

cc:
Montana Radiation Control Program Director

APPENDIX
NOTICE OF VIOLATION

Montana Bureau of Mines
and Geology
Montana College of Mineral Science
and Technology Foundation

Docket No. 030-09501/90-01
License No. 25-15640-01

During an NRC inspection conducted on October 11-12, 1990, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1990), the violation is listed below:

10 CFR 20.401(a) requires, in part, that each licensee maintain records showing radiation exposures on Form NRC-5, in accordance with the instructions contained in that form, or on clear and legible records containing all the information required by Form NRC-5.

Contrary to the above, between October 1, 1987, through July 9, 1990, the licensee did not maintain exposure records containing the required information. Specifically, the date of birth and social security number for one individual was missing on the exposure reports.

This is a Severity Level V violation (Supplement I').

Pursuant to the provisions of 10 CFR 2.201, Montana Bureau of Mines and Geology, Montana College of Mineral Science and Technology Foundation is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region IV, and if applicable, a copy to the NRC Resident Inspector, 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 may be issued to show cause 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. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

Dated at Arlington, Texas
this 2nd day of November 1990

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