



UNITED STATES
NUCLEAR REGULATORY COMMISSION

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

APR 20 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: RESPONSE TO NRC INSPECTION REPORT 030-10103/94-01

Thank you for your letter of March 30, 1994, in response to our letter and Notice of Violation dated March 14, 1994. We have reviewed your reply and find it responsive to the concerns raised in our Notice of Violation. We will review the implementation of your corrective actions during a future inspection to determine that full compliance has been achieved and will be maintained.

Sincerely,

Charles L. Cain

Charles L. Cain, Chief
Nuclear Materials Inspection Branch

cc:
Montana Radiation Control Program Director

9404270060 940420
PDR ADOCK 03010103
C PDR

200304

JE07

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

RIV:NMIB	C:NMIB(2C			
GLGuerra <i>GLG</i>	CLCain			
04/20/94	04/20/94			

bcc w/copy of licensee letter:
DMB - Original (IE-07)
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WLFisher
CLCain
GLGuerra
NMIB
MIS System
RIV Files (2)

RIV:NMIB	C:NMIB(rlc)			
GLGuerra <i>GLG</i>	CLCain			
04/20/94	04/20/94			

DEPARTMENT OF
HEALTH AND ENVIRONMENTAL SCIENCES

OCCUPATIONAL AND RADIOLOGICAL HEALTH BUREAU

1400 BROADWAY

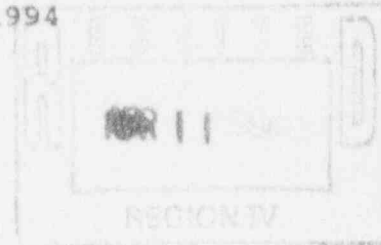


STATE OF MONTANA

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HELENA, MONTANA 59620-0901

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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94-0749

U.S. Nuclear Regulatory Commission
March 30, 1994
Page 2 (Continued)

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.

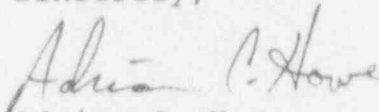
Item C

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